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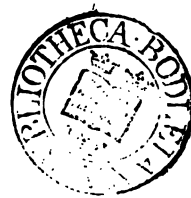


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ART. I.—THE WEAR AND TEAR OF LITERARY LIFE; OR,
THE LAST DAYS OF ROBERT SOUTHEY.*

THE medical psychologist restricts his attention for the most part too exclusively to the study of the mind when, under eclipse, it may be observed passing through various phases of disease; but much instruction may also be derived from watching its course when, unaffected by the slightest aberration, it may be seen steadily traversing the ecliptic of its own glory. It has often occurred to us that it would be a striking, and indeed affecting spectacle, if we could only contemplate and contrast the same mind with itself at different periods of life; now exulting in the meridian of its brightness, and now sinking—"shorn of its beams"—perplexed, bewildered, and lost amidst the shadows which too often darken round the tomb of afflicted genius. "Walking in the fields, during the last summer," says an elegant writer, "I saw the sun going down in great glory, suddenly cut in two by a strip of dark cloud, which nevertheless showed itself, by the colour dimly shining through it, to be connected with that magnificent luminary; and while I stood, the vapour melted, and the sun reappeared in its large refulgence. My thoughts turned to the great lights that rule the intellectual day. I called to remembrance how the broad splendour of genius, as it rolls along the sky of life, from the morning until the evening, has its little intervals of shadow. The radiance of its manifestation is often broken. An inferior book or picture comes between the rising and the setting glory. A dark strip of cloud seems

* The Life and Correspondence of Robert Southey. In six volumes. Edited by his son, the Rev. Charles Cuthbert Southey, M.A., Curate of Plumland, Cumberland. London: Longman, Green, and Longman. 1851.

to cut the great light in the middle. It is a noble and comforting reflection that the gloom sometimes passes, the mind breaks forth again, and the poet or philosopher sinks behind the horizon of time, as he rose above it, in a full orb."* But alas ! such was not the destiny of Robert Southey. The cloud that obscured his vigorous intellect never was dispelled—he did not, in his last moments, like his illustrious contemporary, Sir Walter Scott, recover even a transient gleam of consciousness. There was no clearing up of the mind before death, such as Arateus has so well described, and such as we so often witness, especially in cases of mental disease. Utterly unconscious, worn out with physical suffering—his once athletic frame wasted to a shadow—this eminent historian, biographer, and poet, died at Keswick, on the 21st March, 1843.

The study of the human mind has hitherto been conducted, perhaps too exclusively, upon purely analytical principles. Locke, Reid, Dugald Stewart, and other psychologists, have aimed principally at classifying the different intellectual faculties ; we would fain, however, contemplate the mind in its unital condition, and in so doing we cannot fail to be struck with that comprehensiveness which enables it to grasp and bring within its range every variety of knowledge. How comprehensive was the mind of Shakspeare, Milton, Dante, Bacon, Sir Isaac Newton ! and it is this very comprehensiveness which constitutes one of the noblest attributes of the mind. "The striking peculiarity of Shakspeare's mind," says Hazlitt, "was its generic quality ; its power of communication with all other minds—so that it contained a universe of thought and feeling in itself."† So also Channing, in his eloquent remarks on the character of Milton, observes, "Never was a more unconfined mind. The very splendour of his poetic fame has tended to obscure or conceal the extent of his mind, and the variety of its energies and attainments. Not only in the department of the imagination were his acquisitions vast—he travelled over the whole field of knowledge, so far as it had then been explored."‡ It may be well to analyse and compare the different intellectual faculties with each other—but if we would truly appreciate the greatness of the human mind, we must view synthetically all its different faculties in their collective vigour. It is not imagination alone, nor is it judgment alone, nor is it the exercise of reason alone, that will make a great Philosopher or a great Poet ;

* *Pleasure, Objects, and Advantages of Literature. A Discourse.* By the Rev. Robert Aris Willmott, Incumbent of Bearwood, Berks. London : Bosworth. 1851. p. 53.

† *Lectures on the English Poets.* Delivered at the Surrey Institution. By William Hazlitt. London. 1818. p. 91.

‡ *Remarks on the Character and Writings of John Milton.* By W. E. Channing, LL.D. Boston. 1828.

but it is by the association and combination of all these different powers—one intellectual faculty now prompting the development of another, and now restraining its undue energy. We may decompose a sunbeam, but its elementary rays must be combined, in order that we may enjoy the blessing of sunlight. So is it with the mind. But this is not all. To estimate the character of men of genius, we must take into consideration the circumstances of the age in which they lived. There are, indeed, epochs in the intellectual as well as in the physical world—periods when the clouds of ignorance and superstition seem to break away under a blaze of intellectual light, which seems suddenly to illuminate the world. It is not the appearance of a single, but of many contemporaneous stars, which characterises these memorable eras. Such was the age of Queen Elizabeth, when Shakspeare, “not alone, but one of a race of giants,”—“in shape and gesture proudly eminent,” moved in a constellation of bright luminaries, and drew after him a “third part of the heavens;” * such was the Augustan age of Anne, when the genius of Addison, Swift, Pope, Steele, and Prior, threw a zodiacal light across the literary firmament; and such also has been the first half of the present century, in which have flourished such men as Southey, Byron, Sir Walter Scott, Coleridge, Shelley, Wilson, Wordsworth, Campbell, Rogers, Keats, Crabbe, Barry Cornwall, Montgomery, and Tennyson. It is the same in the history of science—epochs as memorable at distant intervals appear, and different ages are characterized by such discoveries as were made by Copernicus, Galileo, Bacon, Newton, Sir Humphrey Davy; and, referring to the present period, by Sir David Brewster, Faraday, and Wheatstone. This sudden clustering together, as it were, of great minds, cannot easily be explained; but, without hazarding any speculation respecting the ultimate perfectibility of human nature, we certainly recognise in them evidence of mental progression in every successive age.

In studying the different phases through which the mind passes in a state of health, we cannot do better than study psychologically the biography of men of genius. It was a favourite observation of Wordsworth that “the life of a poet is written in his works.” It is, so far as his moral nature is concerned, when he makes his hero impersonate his own sentiments and feelings. This Lord Byron did to a very great extent in *Childe Harold*. So likewise Wordsworth, in his “Prelude,” recently published, in “The Excursion,” and in almost all his minor poems, designedly embodied, as far as it was possible, the history of his own mind. It is a curious circumstance that Cowper, at the suggestion of a neighbouring clergyman, appears to have projected a work very similar to “The Excursion,” which was to have been entitled “The Four Ages,”

* Haslitt. *Lectures. Op. cit.*, p. 91.

wherein he was to have traced the history of the mind through Infancy, Youth, Manhood, and Old Age. "All who delight to accompany the genius of Cowper," says Hayley, "in animated flights of moral contemplation, will deeply regret that he was precluded by a variety of trouble from indulging his ardent imagination in a work that would have afforded him such ample scope for all the sweetness and all the sublimity of his spirit. His felicity of description, and his exquisite sensibility ; his experience of life, and his sanctity of character, rendered him singularly fit and worthy to delineate the progress of nature in all the different stages of human existence."* We may incidentally remark that, between the poetry of Cowper and that of Wordsworth, there is in spirit and feeling a remarkable resemblance. Cowper was the poet of familiar life, and expressed simple truths in perfectly graceful and appropriate language—so did Wordsworth ; Cowper excelled in verses of serious morality, and proposed to himself, as the main scope of his poetical labours, to establish "the service that a poet might be of to religion."† This, too, was throughout his life the object of Wordsworth. "Is not 'The Task,' " asks Burns, "a glorious poem ? The religion of 'The Task,' bating a few scraps of Calvinistic divinity, is the religion of God and Nature—the religion that exalts and ennobles man." The mental-biography of the poet—if we may be allowed so to express it—may, it is true, be traced in such writings ; but when the poet, in a higher mood of genius, divests himself of his own personality, and, inspiring life into ideal and self-consistent characters, exposes the secret workings of the human heart, we may derive instruction from the examples he places before us ; but the author does not reveal himself to us. We learn nothing of the biography of Homer from studying the "Iliad" or the "Odyssey ;" his name has become a myth ; did such a person ever exist ? Again. If we take up a volume of Shakspeare, we may dwell with admiration upon any particular tragedy or comedy, but we do not find "the life of the poet written in his works." Hartley Coleridge, who inherited much of the genius of his father, shrewdly observes, "Gladly as we would know more of our great dramatist, it is just as well so little is recorded ;" upon which remark his biographer well observes, "If, indeed, the life of Shakspeare could be recorded ; if we could be told how he thought, felt, and acted as an individual ; how he bore himself under the pressure of the world, and with what mind he looked forward to another, the record might make us sadder, but would not make us wiser." Nevertheless, in a psychological point of view, such a record would be clearly interesting ; for we hold that

* Life of William Cowper. By W. Hayley. 4 vols. 4to. London. 1804. Vol. ii. p. 172.

† Ibid., vol. ii. p. 444.

the biography of all men of genius should be studied in relation to the characteristics of their minds. We care little for Milton's domestic quarrels with his first wife ; we take no interest in the frolics and escapades of Oliver Goldsmith ; neither do we care to remember the particulars of the coffee-house brawl which perilled the life of Savage ;—but every incident which throws light upon any particular feature of the mind, more especially those writings which reflect peculiar trains of thought and feeling, are invested with profound interest. When, therefore, we select the last days of Robert Southey for consideration, we do so strictly in a psychological sense. He was one of the most remarkable persons of his age. No man ever enjoyed a clearer intellect or a sounder judgment ; no man was ever more indefatigable—his literary industry was unexampled ; for many years of his life he was compelled, in his own words, to “drudge, drudge, drudge ;” and it is by no means surprising that after over-taxing, or rather over-working, his brain for so many years, when domestic affliction fell heavily upon him, his naturally strong constitution should have given way, and that his mind should have sunk in eclipse below the horizon of existence.

Robert Southey was born August 12th, 1774. “The time of my birth,” says he, playfully, in a letter to one of his friends, “was half-past eight in the morning, according to the family bible. According to my astrological friend Gilbert, it was a few minutes before the half-hour, in consequence of which I am to have a pain in my bowels when I am about thirty, and Jupiter is to be my deadly antagonist ; but I may thank my stars for a gloomy capability of walking through desolation.” His early love for books was manifested at eight years of age, when he tells us he read with delight Hoole's translation of the *Gerusalemme Liberata*, and Spenser's *Faery Queen*. “The first of my epic dreams,” he tells us, “was created by Ariosto. I meant to graft a story upon the *Orlando Furioso*, not knowing how often this had been done by Italian and Spanish imitators. *Arcadia* was to have been the title and the scene ; thither I intended to carry the Moors under Marsilius, after their overthrow in France, and there to have overthrown them again by a hero of my own, named Alphonso, who had caught the hippogriff. This must have been when I was between nine and ten, for some verses of it were written in my *Phædrus*.”* It would be curious to trace the incidental circumstances which give a peculiar direction to certain mental faculties. In all children the faculty of imitation is very strong ; and everything which pleases the infant mind is in itself suggestive of some corresponding train of thought. Not in the case of Southey only, but in many other instances, the perusal of one poem has suggested the composition of another, and to such accidental

* Life and Correspondence. Vol. i., p. 118.

circumstances we are indebted for one man becoming a great mathematician, another a great poet, another a great statesman. We do not, however, pretend to ascribe the peculiar direction which the mind of a man of genius takes exclusively to extrinsic causes. We must admit, despite all Locke has written to the contrary, the existence of certain intuitive principles, which, independent of education, give a natural bias and sometimes premature development to certain intellectual faculties. Lebrun at three years of age drew designs with chalk, and at twelve executed a portrait of his grandfather. Murillo filled the margin of his school books with drawings. Ferguson, the Scottish shepherd, while yet a boy, would, after the hours of his farm work were over, go into the fields, observe the stars, and calculate their distances by beads strung upon a thread, which he carefully laid down upon paper. Cowley, in the history of his own mind, compares the influence of boyish fancies to letters cut in the bark of a young tree, which grow and widen with it. "We are not surprised," says the Reverend R. A. Wilmot, "to hear from a school fellow of the Chancellor Somers, that he was a weakly boy, who always had a book in his hand, and never looked up at the play of his companions ; to learn from his affectionate biographer that Hammond at Eton sought opportunities to steal away to say his prayers ; to read that Tournefort forsook his college class that he might seek for plants in the neighbouring fields ; or that Smeaton in petticoats was discovered on the top of his father's barn setting up a windmill which he had constructed. These early traits of character are such as we expect to find in the cultivated lawyer who turned the eyes of his age upon Milton ; in the christian whose life was one varied strain of devout praise ; in the naturalist who enriched science by his discoveries ; and in the engineer who built the Eddystone lighthouse."* "Among the English poets," says Johnson, "Cowley, Milton, and Pope might be said to 'lisp in numbers,' and have given such early proofs, not only of powers of language, but of comprehension of things, as to more tardy minds seems scarcely credible."† While we recognise evidence of the existence of certain intuitive principles in the mind, we are not disposed to overlook the much which may be acquired by diligence, especially in acquiring the power of literary composition. La Fontaine had not the spirit of poetry awakened in him until he was in his twenty-second year, and then it was roused by his hearing an ode of Malherbes recited. Dryden gave no public testimony of his talents until he was twenty-seven, and Cowper did not become an author until he was fifty. To return to Southey. At the age of fourteen he was sent to Westminster, and at eighteen entered at Balliol College, Oxford. And now if we look to the

* Pleasures, Objects, and Advantages of Literature. *Op. cit.*, pp. 28, 29.

† Lives of English Poets. Cowley. Vol. vi., p. 3. Ed. London. 1824. 12 vols.

course of study which he adopted, and observe his habits of unremitting industry ; if, more especially, we read the letters which he addressed to his different friends from college—for he was in early life a “lover of letter reading,” we shall discover that it was entirely by excessive application and diligence that he laid the foundation of his future literary eminence. We do not recognise in the character of his mind any remarkable development, or manifestation of the faculty of imagination ; and in after life we may observe that all his poems are, so to speak, of a composite character, that is to say, they are for the most part—[we refer to his larger poems, *Joan of Arc*, *Madoc*, *Thalaba*, the *Curse of Kehama*, and *Roderic*, and not to his ballads]—made up of historical facts or popular traditions felicitously versified. His command of language enabled him to rival Dryden and Collins in the cadences of his rhythm ; but that creative faculty, and that plastic power of imagination, which abound so prodigally in the poetry of Shelley and Coleridge, were evidently wanting. He sat weaving poetry at the loom of art ; it did not flow spontaneously as from an enchanted spring ; nor was he ever carried away by those emotions which are the very soul of poetic feeling. Hence, when he was only twenty-five years of age, he writes to his friend William Taylor, of Norwich,* “Once I had a mimosa sensibility, but that has long been rooted out ; five years ago I counteracted Rousseau by dieting upon Godwin and Epictetus ; they did me some good, but time has done more. I have a dislike to all strong emotion, and avoid whatever could excite it ; a book like *Werter* gives me now unmingled pain. In my own writings you may observe that I rather dwell upon what affects than what agitates.”† Hence it is clear that Southey never would have succeeded as a dramatic poet. “It would be well,” he observes, “if I *could* write tragedy—the true chrysopoetic vein. There are plans by me, and one opening scene, but I never had courage to proceed ; and the sense of fear, and the disgust at trimming it to the taste of a green-room critic, have deterred me. Besides, if I know my own strength, it is in *narrative* ; and dramatic parts introduced into narrative are widely different from the drama.‡ In another letter, he observes, “As to poetry, I have long abstained therefrom ; old chronicles please me better.”§ We conceive, therefore, that we are not doing injustice to the memory of Southey, when we affirm that he was not endowed, as Wordsworth expresses it, with “the vision and the faculty divine,” albeit he had acquired “the accomplishment of verse.” A somewhat remarkable illustration of this want of imagination is evinced

* *Memoirs of the Life and Writings of the late William Taylor, of Norwich, containing his Correspondence of many years with the late Robert Southey.* By J. W. Robberds. 2 vols. London : Murray. 1848. Vol. i., p. 262.

† *Ibid.*, ii. p. 226.

‡ *Ibid.*, vol. ii. p. 86.

§ *Ibid.*, vol. i. p. 429.

in the opinion he gave of the "Ancient Mariner." "Coleridge's ballad," he observes, "of the Ancient Mariner, is, I think, the clumsiest attempt at German sublimity I ever saw."* The estimation, however, which men of genius, living in the same age, form of each other's productions, is often curiously hasty and unjust. Milton considered Dryden to be only a "man of rhyme," and highly esteemed the poetical abilities of Cowley ; Gray underrated Akenside, and accused Collins of having "a bad ear," and "no choice at all of words and images." Yet have many of the odes of Collins, that to "Liberty," and that to "Mercy" especially, been not unjustly compared to some of the finest choruses in Euripides. Wharton pronounced judgment against the poetical diction of Milton, and there can be no doubt that the reviewers, upon the appearance of Wordsworth's "Excursion," did not appreciate, if they understood, the beauties and the philosophy of that noble poem. "Jeffrey," says Southey, "has, I hear, written what his admirers call a 'crushing' review of the 'Excursion ;' he might as well beat himself upon Skiddaw, and fancy that he crushed the mountain."

When we proceed to analyse the peculiar traits or characteristics of Southey's mind, we cannot fail to observe, that as a poet his imagination—esteeming that as, in the highest sense, a creative or inventive faculty—was deficient or not developed in any remarkable degree. It is, however, justly observed by Dugald Stewart, that imagination should be regarded only as one of the many endowments of intellectual superiority. The steady exercise of reason and good sense in guarding and controlling this important faculty is essential, otherwise the imagination, once excited, becomes perfectly ungovernable, and produces something like a temporary insanity.† Even Coleridge, whose genius as a poet of great originality is, we believe, universally recognised, considered imagination should be counterbalanced, or held in subordination by other mental faculties. "The poet described in ideal perfection," he remarks, "brings the whole soul of man into activity, with the subordination of its faculties to each other, according to their relative worth and dignity. He diffuses a tone and spirit of unity that blends and, as it were, fuses each into each, by that synthetic and magical power to which we have exclusively appropriated the name of imagination. This power, first put in action by the will and understanding, and retained under their irremissive, though gentle and unnoticed control, (*laxis effertur habenis*,) reveals itself in the balance or reconciliation of opposite or discordant qualities ; of sameness with difference ; of the general with the concrete ; the idea with the image ; the individual with the representative ; the

* *Memoirs of the Life and Writings of the late William Taylor.* Vol. i., p. 223.

† *Philosophical Essays.* By Dugald Stewart. Edinburgh. 1810. 4to. See On the culture of certain Intellectual Habits, p. 523.

sense of novelty and freshness with old and familiar objects ; a more than usual state of emotion with more than usual order ; judgment ever awake and steady self-possession ; with enthusiasm or feeling profound or vehement ; and while it blends and harmonizes the natural and the artificial, still subordinates art to nature, the manner to the matter, and our admiration of the poet to our sympathy with the poetry. Finally, good sense is the body of poetic genius, fancy its drapery, motion its life, and imagination the soul that is everywhere and in each, and forms all into one graceful and intelligent whole.* Elsewhere he observes, "No man was ever yet a great poet without at the same time being a great philosopher, for poetry is the blossom and fragrant of all human knowledge, human thoughts, human passions, emotions, language."† It is evident that when imagination becomes unrestrained, and obtains a mastery over the other mental faculties ; when it runs riot in the exuberance and prodigality of its own fictions, the most exalted conceptions become confused, and the imagery, like fragments of a broken mirror, may reflect brilliant, but nevertheless unconnected, hues. We have abundant evidence of this in the "Prometheus Unbound," and many other poems by Shelley, whose imaginative temperament was obviously intolerant of any mental discipline. We by no means, as we have just stated, wish to undervalue the merits of Southey as a poet ; his "Madoc," "Joan of Arc," "Thalaba," "Curse of Kehama," and many of his minor poems, particularly some of his ballads and metrical tales, will doubtless continue to be admired ; but they are all like pieces of "Mosaic work," evincing the triumph of art in poetical composition, rather than inspiration. In fact, Southey acquired, whether in prose or verse, a thorough command of the English language ; and his versification, particularly in the poems of "Thalaba" and "Kehama," may fairly be compared with the "Absalom and Achitophel," the "Hind and the Panther," and some of Dryden's best poems. "I have read the first volume of 'Thalaba,'" says William Taylor, "and begin the next to-morrow. It contains a novel multitude of first-rate descriptive passages ; it rivals in this respect Dryden's 'Alexander's Feast.' "

If the mind of Southey was not, as we affirm, characterized by any remarkable development of imagination,—viewing that faculty always in its inventive and creative sense,—he enjoyed other intellectual endowments practically even more valuable. His powers of judgment, comparison, and reasoning, were pre-eminently great, and enabled him, with the industry he possessed, to become the first historian, biographer, and essayist of his time. "It would be an extremely profitable thing,"

* *Biographia Literaria* ; or, Biographical Sketches of my Life and Opinions. By S. T. Coleridge. London : Fenner. 1817. p. 12.

† *Ibid.*, p. 21.

says the Rev. Sidney Smith, "to draw up a short and well-authenticated account of the habits of study of the most celebrated writers with whose style of literary industry we happen to be most acquainted. It would go far to destroy the absurd and pernicious association of genius with idleness, by showing that the greatest poets, orators, statesmen, and historians,—men of the most brilliant and imposing talents,—have actually laboured as hard as the makers of dictionaries and the arrangers of indexes, and that the most obvious reason why they have been superior to other men is, that they have taken more pains than other men."* There can be no doubt that exercising the intellectual faculties, like exercising the limbs of the body, will invigorate them, and that individual faculties will acquire thereby increased energy. The mind of Southey was ever active. "Literary exertion," said he, upon leaving college, "is almost as essential to me as meat and drink." This excessive application—this overtasking the powers of his nervous system—brought on, when he was twenty-six years of age, a malady painfully premonitory of the affliction which darkened his declining years. For the restitution of his health, it was found necessary for him to go to the south of Europe ; and the fragmentary account we gather from his letters, of his own feelings and presentiments, clearly enough indicate that state of nervous irritability which we so frequently find predisposing to mental disease. Writing, Feb. 3, 1800, to William Taylor, he says—"I am seriously thinking of quitting England in search of health ; either to wait till autumn, and then visit Lisbon, or to employ the summer in travelling through Vienna to Trieste. Something I must do, lest habits of sickness affect my mind as well as my body."† This lurking apprehension and dread of insanity we often find in persons who eventually succumb to that disease. It may be remembered that Dean Swift, walking with his friend Dr. Young, author of the "Night Thoughts," pointed to a noble elm, the uppermost branches of which were withered, and said prophetically, "I shall be like that tree—I shall die at the top." So also Sir Walter Scott, after his first apoplectic seizure, was haunted by the same dismal presentiment. "Such a shaking hands with death," said he, "is formidable. If I were worthy, I would pray God for a sudden death, and no interregnum between I cease to exercise reason and I cease to exist."‡ The medical psychologist will not fail to recognise in Southey's own account of his malady, symptoms which we constantly find to be precursory of cerebral affection. "My departure," he writes (Feb. 20, 1800), "will probably be

* Elementary Sketches of Moral Philosophy. Delivered at the Royal Institution in the years 1804, 1805, 1806. By the late Rev. Sidney Smith, M.A. London. 1850. p. 98.

† Memoir of the Life and Writings of William Taylor. Vol. i. p. 324.

‡ Memoirs of Sir Walter Scott. By J. Lockhart. Vol. vii. p. 252. Ed. 1837.

delayed until the autumn, and Lisbon the place of retreat. Go I must, or the worst consequences may result. Still I am ailing about the heart, and in spite of reasoning and probabilities, cannot but suspect, whenever its irregularities call my attention, that something is out of order about the mainspring. Connected with this at times, and at times recurring without it, are seizures in the head, like the terror that induces fainting—a rush through all my limbs, as if the stroke of annihilation were passing through me. This, then, seems decidedly nervous; but it must not be trifled with, for it threatens worse than the heart pain.”*

Accompanied by his wife, Southey arrived at Lisbon on the 1st May, 1800, and the following July he thus describes his approaching convalescence in a letter to William Taylor, dated Cintra, July 5, 1800:—“First of my health, the immediate object of this emigration. The effect of climate has been what I expected and wished. Night seizures I have none; the irregularity of my heart is lessened, not removed; I eat voraciously, and, above all, enjoy an everlasting sunshine of spirits. Something of this is assuredly owing to the total change of scenery and society, but the climate has been the great cause.”† Here he continued unremittingly his literary pursuits. Independent of preparing “*Thalaba*” for the press, he busily employed himself collecting materials for an historical work on Portugal. “I am,” he writes, “up to the ears in chronicles—a pleasant day’s amusement, but battles and folios, and Moors and monarchs, *tease me terribly in my dreams*. I have just obtained access to the public manuscripts, and the records of the Inquisition tempt me—five folios the whole black catalogue.” “I obtain access through one of the censors of books here, an ex-German divine, who enlisted in the Catholic service, professing one faith with the same sincerity that he preached the other; a strong-headed, learned, and laborious man, curious enough to preserve his authoritative reviews of all that is permitted to be printed or sold in Portugal.”‡ In the public library which was established by the ruin of the Jesuits, whose libraries were all brought to Lisbon, Southey found an invaluable *repertoire* of information respecting all that regards the peninsula, more especially church and monastic history. Here he collected materials for a history of Portugal, and many of those curious anecdotes connected with the early history of the Catholic church, which will be found in his “*Vindiciæ Ecclesiæ Anglicanæ*,” the “*Book of the Church*,” and other works. He had a keen perception of the ludicrous, and, as may be seen in the biography of Dr. Dove, in “*The Doctor*,” any droll incident he could describe in the most minute and graphic style. His powers of observation were exceedingly acute, and throughout

* *Memoir of William Taylor. Op. cit.*, vol. i., p. 336.

† *Ibid.*, vol. i. p. 348.

‡ *Ibid.*, vol. i. p. 361

life he was as diligent a collector of *facts*, as any *virtuoso* of antique gems.

In the summer of 1801 he returned to England, and accepted an invitation to pass the autumn in Cumberland. "I am going," he writes (July 27, 1801), "to pass the autumn with Coleridge at Keswick, to work like a negro." He had some idea of becoming a barrister, but the study of the law was repulsive to him, and the atmosphere of London disagreed with him. "I grumble at nothing," he observes (Nov. 19, 1801), "but my compulsory residence in London, which I do loathe and abhor with all my moral and physical feelings." He therefore abandoned all intention of adopting the legal profession, and devoted himself entirely to literature. In the year 1794, when at Oxford, Southey became acquainted with Coleridge; both were young and inexperienced, and at this period, when the French revolution had spread its contagion throughout Europe, and old and young politicians crazed themselves with devising schemes for the reformation of society, these young men of ardent temperament, with some other companions,* united in a scheme of Socialism, which they designated Pantisocracy, and which they imagined would realize a state of society free from all the evils and turmoils which then agitated the world. "How do you go, my young friend?" asked Mr. Cottle, when one of these enterprising youths called upon him. "We shall freight a ship, and carry out with us ploughs and other implements of husbandry," was the answer. "When do you set sail?" "Very shortly; I expect my friends from the University, when all the preliminaries will be adjusted, and we shall joyfully cross the blue waves of the Atlantic." "But to freight a ship and sail out in the high style of gentlemen agriculturists will require funds; how do you manage this?" "We shall between us contribute what we can."† It is almost needless to add that this Utopian scheme fell to the ground, and can now only be referred to as an evidence of mistaken philanthropy. The amelioration of the social condition of mankind, by organizing society upon some new basis, so as to accomplish a state of ideal perfectibility—incompatible, we fear, with the frailty of humanity—has suggested theories of the same description to many sanguine minds. Unhappily, Shelley bewildered himself, and sadly misdirected his fine genius, in the mists of some such indefinite delusion. Wordsworth also set out in life as a republican, entertaining "too high an opinion of the human will, and too sanguine a hope of unlimited benefits to be conferred on society by the human

* Robert Lovell (a clever and accomplished young man, himself a poet), and George Barnet.

† Reminiscences of Samuel Taylor Coleridge and Robert Southey, By Joseph Cottle. London. 1847. pp. 7, 8.

intellect.”* When experience and time temper down the imagination of such men, and mature the judgment, it is surely pardonable to find them change the theoretical opinions of their early life. An unalterable minister has been called an unalterable fool; and surely it may be permitted for minds highly gifted as these to correct their own erroneous impressions. To return to Southey. On the 14th November, 1795, under somewhat remarkable, or it might be said romantic circumstances, he was married at Redcliffe Church, Bristol, to Miss Edith Frecker, the sister of Mrs. Coleridge, and also Mrs. Robert Lovell. It had been arranged between them, on account of the unsettled state of Southey’s worldly position, that their marriage should be kept secret. The day fixed for their union was that on which he was to set out for Lisbon. “Immediately after the ceremony,” says his biographer, “they parted. My mother wore her wedding ring round her neck, and preserved her maiden name until the report of her marriage had spread abroad.”†

In the August of 1803 they had the affliction of losing a favourite child, christened Edith, who died of hydrocephalus consequent upon teething. “My poor child,” writes Southey, (August 24, 1813), “was buried yesterday, and we are quitting a place where everything reminds us of our loss. Poor Edith is almost heart-broken. I have gone through more suffering than I ever before experienced, for I was fond of her even to foolishness.”‡ To relieve his distress by a change of scene, Coleridge, whom he had visited in 1800, persuaded Southey to remove to Keswick. Here Wordsworth, upon his return from Germany, in the spring of 1799, had already taken up his residence at Grasmere, and thus, from circumstances purely incidental, this brotherhood of poets became established in the same locality. At this period, or rather, a very few years afterwards, the star of Lord Byron rose in the ascendant. “Childe Harold,” “The Corsair,” “The Bride of Abydos,” and “The Giaour,” enchanted the public mind; and the only constellation that divided the literary hemisphere with Lord Byron was for some years the author of Waverley. It is true that Moore continued still pouring forth his charming Irish Melodies, which were in every society received with rapture; Shelley had shocked the world with the atheism of “Queen Mab,” which, however, on examination, will be found expressive rather of pantheism in its widest sense; § John Keats had scarcely vindicated his claim to the poet’s wreath; and Leigh Hunt and Hazlitt were in the zenith of their popularity—the one contributing to the current literature of the day poems, translations, and

* *Memoirs of William Wordsworth, Poet Laureate, D.C.L.* 2 vols. London: Moxon. 1851. Vol. i. p. 89.

† *Life and Correspondence.* Vol. i. p. 254.

‡ *Memoirs of William Taylor. Op. cit.*, vol. i. p. 468.

§ There is no doubt that Shelley was a thorough pantheist. What other principle

essays remarkable for their exquisite taste and gracefulness ; the other wielding the pen of Aristarchus with great originality of thought and force of language. Then arose through the length and breadth of the fashionable world a loud outcry against what was significantly called the "Lake School of Poetry ;"—Wordsworth and Coleridge were ridiculed and caricatured in every conceivable shape, and Southey more especially, on account of changing his political opinions, was singled out as an object for attack. The criticisms which appeared at this period are now forgotten, or only referred to as a proof that public opinion will eventually award to every man of real merit retributive justice. There was, in point of fact, no confederation between these lake poets, who were accused of having in view the foundation of a particular school of poetry. "I am well pleased," says Southey (Jan. 11, 1803), referring to a criticism on "Thalaba," in the "Edinburgh Review," "to be abused with Coleridge and Wordsworth ; yet it is odd enough my fellow-conspirator Wordsworth should be almost a stranger to me—a man with whom I have scarcely had any intercourse, not even a common acquaintanceship."* It is obvious that the mental characteristics of each of these poets, as expressed in their writings, are perfectly distinct and different, Coleridge delighting in the supernatural, in mysticism, and in the obscure sublime ;—Wordsworth reflecting from the recesses of his heart feelings and thoughts which deified the most simple and familiar objects in nature ;—while Southey, whose intellectual faculties were of another order, always dealt with palpable realities, weaving into matchless rhythm the historic tales and traditions which pleased his fancy. So little similarity existed intellectually between Wordsworth and Coleridge, that they could not throw their ideas or associate them together in the same channel, as is evinced by the curious history of that most remarkable poem, "The Ancient Mariner." It was agreed between these brother poets that they should defray the expense of a little tour by writing a poem for the "New Monthly Magazine," then edited by Dr. Aikin. "Accordingly," says Wordsworth, "we set off, and proceeded along the Quantock Hills towards Watchet ; and in the course of this walk was planned the poem of 'The Ancient Mariner,'

could have suggested, even in the "pestiferous poem" of "Queen Mab" such lines as the following?—

"Spirit of Nature! here,
In th' interminable wilderness
Of worlds, at whose immensity
Even soaring fancy staggers,—
Here is thy fitting temple.
Yet not the slightest leaf
That quivers to the passing breeze
Is less instinct with thee."

Memoirs of William Taylor. Op. cit., vol. i. p. 440.

founded on a dream, as Mr. Coleridge said, of his friend Mr. Cruikshank. Much the greatest part of the story was Mr. Coleridge's invention, but certain parts I suggested; for example, some crime was to be committed which should bring upon the old Navigator, as Coleridge afterwards delighted to call him, the spectral persecution, as a consequence of that crime and his own wanderings. I had been reading in Shelvocke's Voyages, a day or two before, that while doubling Cape Horn, they frequently saw albatrosses in that latitude, the largest sort of sea-fowl, some extending their wings twelve or thirteen feet. 'Suppose,' said I, 'you represent him as having killed one of these birds on entering the South Sea, and that the tutelary spirits of these regions take upon them to avenge the crime.' The incident was thought fit for the purpose, and adopted accordingly. . . . We began the composition together on that, to me remarkable, evening. . . . As we endeavoured to proceed conjointly—I speak of that same evening—our respective manners proved so widely different, that it would have been quite presumptuous in me to do anything but separate from an undertaking upon which I could only have been a clog.* "The Ancient Mariner" thus originated. In his life of Cowley, Dr. Johnson describes what he is pleased to call a class of "Metaphysical Poets," and among them enumerates Donne, Derham, Suckling, Waller, Cowley, Cleiveland, and Milton, who, however, he adds, tried the "metaphysical style" only in his lines upon "Hobson the Carrier." The critical abilities of the great lexicographer so completely eclipsed his powers of imagination, that he estimated the value of poetry by measuring it only with a kind of metaphysical foot-rule; if the cadences did not scan to a nicety, or the images were not clearly defined and brought out into the strong light of realism, so as to leave nothing for the imagination to dwell upon, he was dissatisfied. And yet it is by no means necessary, nor even is it desirable, that either the poet or painter should supersede the faculty of imagination by entering too fully into descriptive details. Shakspeare, Goethe, and Sir Walter Scott understood this. Their female characters, *e. g.* Ophelia, Margaret in "Faust," Rebecca in "Ivanhoe," and we will add, "the lovely Lady Christabel," are marvellous and charming creations, because they leave an impression on the mind suggestive of more than we actually read of them. We remember on one occasion an artist of eminence called the attention of Sir Walter Scott to the miniature picture of a battle-field he was painting—"Heh! man," said Sir Walter, "it's weel done—that lad is cleaving that chiel's helmet in right earnest, and that horse is dead enough—but that's no the way to paint a battle. You should just raise a stour,† and let a glimmering

* Memoirs of Wordsworth. *Op. cit.*, vol. i. p. 108.

† "Stour" means a cloud of dust.

helmet be seen here, and a face there, and leave imagination to fill up the rest." This is truly applicable to that which we, instead of metaphysical, should designate psychological poetry. In the early part of the present century a spirit of German transcendentalism became transfused into our literature. Translations of the ballads and poems of Bürger, Goethe, Lessing, Wieland, Herder, Schiller, and the philosophy of Kant, became known, and certainly fascinated many highly gifted minds. We find William Taylor, whose name is indissolubly connected with English literature, translating, in amicable rivalry with Sir Walter Scott, several German ballads, and Sir Walter Scott bearing honourable testimony not only to the merits of his translation of Bürger's "Leonore," but to the influence it had upon his own career, which may be inferred from the following interesting anecdote:—One evening, Mrs. Barbauld, Dr. Aikin's sister, read this ballad to a circle of admiring friends at the house of Professor Dugald Stewart in Edinburgh. The impression which it made upon this highly cultivated and most intelligent assembly, who are described as having been "electrified by the tale," and the consequences which it immediately afterwards produced, have given to William Taylor's translation of "Leonore" considerable importance in the history of our literature. Not only did it serve to open the way for introducing into this country the works of the most eminent German poets, but it also supplied the spark by which the genius of one of the most remarkable and popular of our modern writers was first kindled. "Are you aware," said Mrs. Barbauld, in a letter addressed to William Taylor at a subsequent period, "that you made Walter Scott a poet? So he told me when, the other day, I had the gratification of meeting him. It was, he says, your ballad of 'Leonora,' and particularly the lines, 'Tramp, tramp along the land they speed,'* that inspired him. I do not wonder that any one able to appreciate that translation should speak thus of it."† This German style introduced a taste for romantic and supernatural tales, which Matthew Gregory Lewis, commonly known as Monk Lewis, carried in his "Tales of Wonder" and "Tales of Terror" to extreme. Nevertheless, he was a man of great original powers of mind, and possessed an exquisite ear for versification—which is sufficiently evinced in the popular ballads of "Durandarte" and "Alonzo the Brave." In Southey's "Madoc," "Roderick" and "Kehama,"—and in Coleridge's "Ancient Mariner," "Christabel," "Tale of the Dark Ladie," we recognise the same Germanic spirit, which also is

* "Tramp, tramp along the land they speed;
 Splash, splash along the sea.
 Hurrah! the dead can ride apace;
 Dost fear to ride with me?"

† Memoirs of William Taylor. *Op. cit.*, vol. i. p. 92. Lockhart's Life of Scott. Vol. i. p. 235.

diffused through many of Wordsworth's poems ; indeed, were we asked for an illustration of what we mean by psychological poetry, we could scarcely select a better example than the following, from the "Lines composed a few miles above Tintern Abbey, on the Banks of the Wye." The poet describes the effect on his mind of the surrounding scenery :

"These beauteous forms,
Through a long absence, have not been to me
As is a landscape to a blind man's eye ;
But oft, in lonely rooms, and 'mid the din
Of towns and cities, I have owed to them,
In hours of weariness, sensations sweet,
Felt in the blood and felt along the heart,
And passing even into my purer mind
With tranquil restoration : feelings, too,
Of unremembered pleasure ; such, perhaps,
As have no slight, or trivial influence
On that best portion of a good man's life,
His little nameless, unremembered acts
Of kindness and of love. Nor less, I trust,
To them I may have owed another gift,
Of aspect more sublime : *that blessed mood,*
In which the burthen of the mystery
Of all this unintelligible world
Is lightened ; that serene and blessed mood,
In which the affections gently lead us on
Until the breath of this corporeal frame,
And even the motion of our human blood,
Almost suspended, we are laid asleep
In body, and become a living soul ;
While, with an eye made quiet by the power
Of harmony and the deep power of joy,
We see into the life of things."

Such poetry as this may truly be called psychological, the thoughts and feelings expressed being purely subjective ; in other words, deriving their origin from the conceptions and emotions of the mind, independent of external objects. We find no poetry of this description in the writings of Southey ; he dealt with the objective world rather than with the subjective. He was a great collector of facts, which his reasoning powers and judgment always disposed of to the best advantage ; therefore is he one of the most instructive writers of the present period. These Lake poets, therefore, and we must include the highly-gifted professor of moral philosophy in Edinburgh, Professor Wilson, in their number, were not bound together by any confederate principle, but each possessed a very different order of mind.

The inveterate dislike to London which Southey entertained, and which probably arose from his health being there so much affected, induced him, after visiting Coleridge, to take up his residence at Keswick. In 1816 he writes, "London always affected my spirits ; I breathe with

difficulty, and positively hunger and thirst for fresh air." His friends Richard Duppa and William Taylor in this respect widely differed from him. Richard Duppa, when he visited his friends in Herefordshire, was always anxious to return to the metropolis, and boasted of being "town made," while William Taylor insisted that he never could perceive any beauty in mountain scenery.

"I never," he says, in answer to Southey, "could understand the merit of a mountain prospect : the eye walks on broken flints ; the paths are too steep to ascend or descend ; the rills too shallow to float a canoe ; the hills too rugged for the plough ; where there might be pasture glares a lake ; cottages can be staked there, not a city." . . . "How can you delight in mountain scenery ? In the roads, every ascent is the toil of Sisyphus—every descent, the punishment of Vulcan : Barrenness, with her lichens, covers on the mountain top, yawning among mists that irrigate in rain ; the cottage of a man, like the eyrie of an eagle, is the home of a savage, subsisting by rapacity in stink and in intemperance ; the village is but a coalition of pigstyes ; the very cataract falls in vain—there are not customers enough for a water-mill. Give me the spot where victories have been won over the inutilities of nature by the efforts of human art. Where mind has moved the massy, everlasting rock, and arrayed it into convenient dwellings and stately palaces ; into theatres, and cathedrals, and quays, and docks, and warehouses, wherein the primeval Troglydite has learned to convoke the productions of the antipodes."*

"You undervalue lakes and mountains," retorts Southey ; "they make me happier, and wiser, and better ; and enable me to think and feel with a quicker and healthier intellect. Cities are as poisonous to genius and virtue, in their best sense, as to the flower of the valley or the oak of the forest."

It has been a subject of ingenious discussion, whether a residence in town or country be most desirable for men engaged in literature. In an article entitled the "Influence of Scenery on Poetic Character," which appeared in the old London Magazine,† (when that periodical was contributed to by Hazlitt,) Lamb, De Quincey, and other eminent contemporaries, contended that most of our great poets, with the exception of Shakespeare, were born and educated in the metropolis, and that a scanty field in its vicinity would be sufficient for men of genius, like Chaucer, Spenser, Milton, Dryden, Pope, or Cowper, to gather materials for their poetry. It has been also argued that Switzerland, rich in romantic scenery, has only produced a single poet. We do not acquiesce in this view. The choice between a town or country life will, for the most part, depend on the health, mental idiosyncrasy, and habits of the individual ; but as a general rule, beautiful scenery—whether sublime or picturesque

* *Memoirs of William Taylor. Op. cit., vol. i. pp. 413, 433.*

† *The London Magazine.* September, 1821, p. 250. London : Taylor and Hessey.

—must be favourable to the development of poetic feeling. Hence, Milton, in his *Tractate on Education*, observes, “In those vernal seasons of the year, when the air is soft and pleasant, it were an *injury* and *sullenness* against nature not to go out and see her riches and partake with her rejoicings with heaven and earth.” We certainly do not envy the disposition of the man who would prefer climbing to the top of *Nôtre Dame* to ascending a Swiss mountain, or who would choose to admire the gas-lights of a city, rather than the sublime expanse of the starry heavens. The effect of pure and fine scenic views must be in many states of mind obviously beneficial; and we can easily understand Southey exclaiming, upon his arrival at Keswick, “Would that you could see these lakes and mountains! how wonderful! how awful in their beauty! all the poet part of one will be fed and fostered here!” Accordingly, at Greta Hall, which commanded a magnificent prospect, Southey now took up his residence, and, with the exception of an occasional visit to London, Edinburgh, or Wales, the even tenour of his life was little varied. He had chosen literature as a profession, and dedicated himself entirely to its pursuit. His mode of life and habits were uniform, and had he not been a man naturally of strong bodily constitution, and had he not accustomed himself to taking very long walks among the mountains, his sedentary occupations, and constant exercise of the brain, would have much sooner impaired his health. One day with him passed like another day—

“My actions,” he writes, “are as regular as those of St. Dunstan’s quarter boys. Three pages of history after breakfast (equivalent to five in small quarto printing), then to transcribe and copy for the press, or to make my selections and biographies, or what else suits my humour, till dinner time; from dinner till tea I read, write letters, see the newspaper, and very often indulge in a siesta; for sleep agrees with me, and I have a good substantial theory to prove that it must, for as a man who walks much requires to sit down and rest himself, so does the brain, if it be the part most worked, require its repose. Well, after tea I go to poetry, and correct and re-write and copy till I am tired, and then turn to anything else till supper; and this is my life, which, if it be not a very merry one, is yet as happy as heart could wish. At least, I should think so, if I had not once been happier; and I do think so except when that recollection comes upon me, and then, when I cease to be cheerful, it is only to become contemplative—to feel at times a wish that I was in that state of existence which passes not away; and this always ends in a new impulse to proceed, that I may leave some durable monument and efficient good behind me.”

“His course of life,” says his son, “was the most regular and simple possible: he varied but little from the sketch he gave of it in 1806, which we have here given. When it is said that breakfast was nine after a little reading, dinner at four, tea at six, supper at half-past nine, and the intervals filled up with reading and writing, except that he

regularly walked between two and four, and took a short sleep before tea, the outline of his day, during those long seasons when he was out of work, will have been given. After supper, when the business of the day seemed to be over, though he generally took a book, he remained with his family and was open to conversation, to amuse or be amused. It was at such times that the most pleasant fireside chatting, and the most interesting stories, came forth, and it was indeed at such time, though long before my day, that 'the Doctor' was originated, as may be seen by the beginning of that work, and the preface to the new edition. Notwithstanding the very mention of 'my glass of punch'—the one temperate never-exceeded glass—may be a stumbling-block to some of my readers, I am constrained, by the very love of the perfect picture which the first lines of 'the Doctor' convey of the conclusion of his evening, to transcribe them in this place. It was written but for a few ; otherwise 'the Doctor' would have been no secret at all ; but those few who knew him in his home will see his very look while they re-peruse it, and will recal the well-known sound of his voice :—"I was in the fourth night of the story of the Doctor and his Horse, and had broken it off, not like Scheherazade, because it was time to get up, but because it was time to go to bed. It was at thirty-five minutes after ten o'clock, in the year of our Lord 1813. I finished my glass of punch, tinkled the spoon against its side, as if making music to my own meditations, and having-fixed my eyes upon the Bhow Begum, who was sitting at the head of her own table, I said, 'It ought to be written in a book.'"

Passages of this description show that Southey, like Sterne, was a minute observer of facts ; many parts of the Doctor, indeed, are written very much in the style and manner of "Tristram Shandy."

The life of Southey, in the midst of such occupations, was not unchequered with anxiety ; he had now an increasing family, the support of whom depended entirely upon his literary exertions ; and frequently the painful idea would cross his mind, that if anything happened to him they would be left unprovided for. There are some minds which receive impulse from the sense of pecuniary emergency ; otherwise, Johnson never would have written "Rasselas," or Goldsmith "The Vicar of Wakefield ;" but there are other minds so constituted, that excessive anxiety will destroy all energy, and, as it were, paralyse the intellectual faculties. This was keenly felt by Coleridge. In what he termed "An affectionate Exhortation to those who in early Life feel themselves disposed to become Authors," he makes the following striking appeal :—

"With no other privilege than that of sympathy and sincere good wishes, I would address an affectionate exhortation to the youthful Literati, grounded on my own experience. It will be but short, for the beginning, middle, and end converge into one charge. NEVER PURSUE LITERATURE AS A TRADE. With the exception of one extraordinary

man (*query* Southey?), I have never known an individual—least of all, an individual genius—healthy or happy *without* a profession ; i. e., some regular employment which does not depend on the will of the moment, and which can be carried on so far mechanically, that an average *quantum* only of health, spirits, and intellectual exertion, are requisite to its faithful discharge. Three hours of leisure, unalloyed by an alien anxiety, and looked forward to with delight as a change and recreation, will suffice to realise in literature a larger product of what is truly genial, than weeks of compulsion. Money and immediate reputation form only an arbitrary and accidental end of literary labour. The hope of increasing them by any given exertion will often prove a stimulant to industry ; but the *necessity* of acquiring them will, in all works of genius, convert the stimulant into a narcotic. Motives, by excess, reverse their very nature, and, instead of exciting, stun and stupify the mind.”*

But this was not the case with Southey. He occupied himself in writing history, biography, poetry, political and moral essays, critical reviews, and carried on at the same time a very extensive epistolary correspondence. His life is in fact written in his letters ; and these are so numerous, and dispersed in so many hands, that a considerable number of them remain yet unpublished. Many have been submitted to our inspection. They are written in* a small, clear, and legible manner, with very few corrections or interlineations ; and evince those mental characteristics we have above described. The following letter, describing his visit to Edinburgh, and his impressions respecting Sir Walter Scott and Jeffrey, will be read with interest :—

“ Dear ——— : Our succession of visitors is over—the summer birds have all taken flight. The Islanders are gone, the general gone, and our inn-door circle also contracted. Harry and Miss Barker have left us ; the season for reviewing is begun, and I have put on my winter clothes and commenced my hybernation. My Scotch excursion with Elmsley was a pleasant one. We saw Melrose on our way ; if not the most picturesque mass, certainly the finest architectural one in the whole island. We stayed three days with Sir Walter Scott, at his house on the bank of the Tweed. One morning was given to salmon-spearing, with a heavy trident about twelve feet long. I had to manage one end of a flat-bottomed, crazy boat, as she floated sideways down a crazy stream, and to keep her even, and prevent her striking against the rocks, and so upsetting. I did my part well, and having no evil designs upon the salmon, came home quite innocent, and sufficiently instructed in a very singular savage sport. Scott is a pleasant man, of open and friendly manners, so full of topographical anecdotes, that, having seen him, you would be perfectly well satisfied how well history may be preserved by tradition. We saw much classic ground, besides the Tweed. The Yarrow, with Newark castle, Branksome, overlooking the Teviot, and Johnny Armstrong’s stronghold on the Esk. At Edin_

* *Biographia Literaria. Op. cit., i. p. 222.*

burgh, Jeffrey was invited to meet me. Before he could venture to do this, he sent me his review of 'Madoc,' then printed, but not published. A man who has been reviewed above fifty times, which is my case, is hardened to such things. Besides, by God's blessing, such praise or such censure as can be bespoken for five or ten guineas a sheet can neither help nor harm me now. They who fling dust at me will only dirt their own hands, for I am out of reach. So Jeffrey and I met constantly, and live very good friends. In fact, I am not very irascible ; and if I had been so, found him too little to be angry with—a man of ready wit, no taste, and so little knowledge, that it would have been scarcely inaccurate to have said none. . . . He has been to the Lakes, and supped with me. Of all the Scotch reviewers that have come in my way—and, with the exception of Sydney Smith, I have seen all of any celebrity—I think little, perhaps too little ; but having lived with Coleridge, and Wordsworth, and William Taylor, it is impossible not to perceive that these Scotchmen are very feeble indeed. . . . I have seen the Monthly Review of 'Madoc.' Some wretched man, who either has been reviewed by me with deserved severity, or fancies so, has been permitted to vent his spleen there, which he has done very clumsily. It is stupid and blunt ill-nature—a bluebottle fly, wriggling his tail, and fancying he has a sting in it. Edinburgh is the finest city I have ever seen. Having no new coat since I was in London, and no new hat, except a seven-shilling white one of felt, it was judged proper by Edith that I should beautify my appearance in Scotland, and also adorn myself with new boots and new pantaloons ; but when I saw them, and contemplated the very respectable figure I already made, considering the vanity of externals—and moreover remembered, that as learning was more valuable than house and lands, it must be much better than new clothes, I laid out all my money in books, and have, in consequence, the pleasure of laughing at the manœuvre and reading the books. After this year, at all events, I have done with reviewing, and heartily glad shall I be to leave off the trade."

Although Southey had been reviewed above fifty times, as he informs us, and was "hardened to such things," it is clear, from the bitterness with which he alludes to the criticism on "Madoc" in the "Monthly Review," that he was still vulnerable ; nay, notwithstanding his many very admirable mental and moral qualities, he frequently formed very hasty judgments, and when offended could not divest himself of personal prejudices—witness the disparaging tone in which he always refers to Godwin. There can be no doubt that Southey felt hurt at the criticisms upon his poems which appeared in the "Edinburgh Review," and formed an unfavourable opinion, not only of the "Review" itself, but of its contributors. In writing to Coleridge, in 1803, he says—"The 'Edinburgh Review' will not keep its ground ; it consists of pamphlets, instead of critical accounts." This was clearly a false prophecy. We cannot also help remarking, that when Southey pro-

nounced so decided a judgment against his Scotch contemporaries, he had been in Edinburgh only for a very short period, and had not an opportunity of entering a society then adorned with such men as Sydney Smith, Adam Ferguson, John Playfair, Dugald Stewart, Lord Kinnedder (Erskine), Henry Mackenzie, Francis and Leonard Horner, and many other men equally distinguished. The literary circle in Edinburgh was at this very period particularly brilliant. In all the letters to his friends which he wrote, giving an account of his visit to Scotland, many of which have been already published, he describes Jeffrey in the same language; but the injustice of such an opinion needs no comment. Very different was the impression of his friend William Taylor, who, in speaking of Jeffrey, observes—

“It is not with his politics I am in love, but with his comprehensive knowledge, with his brilliant and definite expression, and with his subtle argumentative power. I have not yet seen the ‘Quarterly Review’; it is said to rival that of Jeffrey, but *I shall be surprised if there is literary strength enough in any other combination to teach so many good opinions as the Edinburgh Review.*”*

The account Southey gives of spending his money in books rather than in clothes is amusing. Books, indeed, were not only his delight—the purchase and possession of them became with him a passion. His house, from the roof to the basement, was fitted up as a library; every room and passage, every closet and cranny, were made available for holding books.

“His own sitting-room, which was the largest in the house,” his son tells us, “was fitted up with the handsomest of them, arranged with much taste, according to his own fashion, with due regard to size, colour, and condition; and he used to contemplate these, his carefully accumulated and much-prized treasures, with even more pleasure and pride than the greatest connoisseur his finest specimens of old masters. His Spanish and Portuguese collection was the most highly-prized portion of his library, and comprised a considerable number of valuable MSS., which had been copied out of private and convent libraries. Many of these old books being on vellum or parchment bindings, he took pains to render ornamental to portions of his shelves. His brother Thomas was skilful in caligraphy, and by his assistance their backs were painted with some bright colour, and upon it the title placed lengthwise in large gold letters, of the old English type. Another fancy of his was to have all those books of lesser value, which had become ragged and dirty, covered, or rather bound, in coloured cotton print, for the sake of making them clean and respectable in their appearance, it being impossible to afford the cost of having so many put into better bindings. Of this task his daughters, aided by any female friends who might be staying with them, were the performers; and not fewer than from

* Memoirs of William Taylor. *Op. cit.*, vol. ii. p. 272.

1200 to 1400 volumes were so bound by them at different times, filling completely one room, which he designated the COTTONIAN LIBRARY. With this work he was much interested and amused, as the ladies would often suit the pattern to the contents, clothing a quaker work or book of sermons in sober drab, poetry in some flowery design, and sometimes contriving a sly piece of satire at the contents of some well-known author, by their choice of its covering.*

Here, like a Benedictine monk in a convent, as Wordsworth observed, he pursued, winter and summer, his literary avocations.

In one of the letters before us he observes—

“We go on well. I never go beyond the premises, though our weather has been delightful, more so than ever winter was remembered here. The snow has never covered the valley half-an-hour during the whole winter. We live as completely without society as if we were in Kamschatka ; but summer is coming on, and then there will be too much of it. I get on steadily with my opus magus, the history, and only wish that I were rich enough to have an amanuensis at hand, and to buy all the books that would be useful to me.”

In speaking of his brother's return home, he thus affectionately expresses himself—

“My brother Tom arrived yesterday from sea, and my spirits have not recovered their usual temperate tone, for it dispirits me to see him looking prematurely old; to think that in fourteen years he has been only nine months ashore, and that we three brothers, who are now in one house, have never been together till now during the whole of that period, and may very possibly separate in a few weeks, and may never meet together again. Family ties, if they are good for anything, grow stronger as we grow older, and as fewer are left us. We then feel how different they are from other friendships, be these friendships ever so sincere. I will never breed up a child to the navy or army, nor send one to the East Indies. It is very well for birds, whose love is only instinct, to be turned adrift as soon as they leave the nest; but it is an evil thing for a family to be scattered.”

In many passages he amusingly refers to Coleridge. In one he says—

“Coleridge is appointed confidential secretary to Sir A. Ball, at Malta, and is going in the spring up the Black Sea to purchase corn for government. I should as soon think of setting him to cut a corn for me, though he will do the business as well, and more honestly, than most people.”

In another letter—

“Of Coleridge we know nothing. He wrote to me that he would write again, if he could, that same evening. This was more than three weeks ago. Wordsworth has just had a few lines to say he is gone to

* Life and Correspondence. Vol. vi., p. 8.

Margate. In anybody else, this would be very odd ; but comets and Coleridge baffle all calculation."

His kind feelings towards Wordsworth, and his sympathy with him upon the melancholy occasion of his brother Captain Wordsworth's death, who was lost in the wreck of the vessel he commanded,* he thus tenderly expresses :—

" My time has been taken up on a very distressing occasion. I have been over to poor Wordsworth and his sister, who are almost heart-broken by the dreadful fate of their favourite brother, in the *Abergavenny*. Nothing which did not immediately come home to myself ever affected me so deeply. I am going over again in two or three days, and much of my time will be thus employed until they, in some degree, get the better of their affliction."

We intentionally pass over Southey's appointment as secretary to Mr. Corry, the Chancellor of the Exchequer for Ireland, which situation he held only for a short period; also the circumstances connected with his succeeding Henry James Pye as poet laureate, our object being to dwell upon those habits of life, and manifestations of thought and feeling, which, psychologically considered, reveal to us the peculiar characteristics of his mind. His personal appearance and manner indicated a man of great nervous excitability—

" His forehead," we are told, " was very broad ; his height, five feet eleven inches ; his complexion rather dark ; the eyebrows large and arched ; the eye well-shaped and dark brown ; the mouth somewhat prominent, muscular, and very variously expressive ; the chin small in proportion to the upper features of the face. The characteristics of his manner, as of his appearance, were lightness and strength ; an easy and happy composure was the accustomed mood, with much mobility at the same time, so that he could be readily excited into any degree of animation in discourse, speaking, if the subject moved him much, with extraordinary fire and force, though always in light laconic sentences. When so moved, the fingers of his right hand often rested against his mouth, and quivered through nervous susceptibility."†

The medical psychologist will not fail to recognise in this description evidence of his possessing a highly nervous temperament, such as rendered him quick in feeling, and liable to be affected deeply by domestic affliction. By adopting very regular habits, by taking a great deal of pedestrian exercise, and by pursuing his studies in a very systematic manner, he counteracted for many years an obvious proclivity to ner-

* The *Earl of Abergavenny* East-Indiaman, commanded by Captain Wordsworth, was wrecked on the shambles of the Bill of Portland, on Tuesday, February 5, 1805. A very affecting account of the event, and the distress of Wordsworth's family, will be found in the " *Memoirs of Wordsworth*, by Christopher Wordsworth, D.D." Vol. i. chap. xxi. p. 181. This is one of the most melancholy chapters in modern biography.

† *Ibid.*, vol. vi. p. 281.

vous disease. The way in which he, in reading, arranged for information and reference the contents of a book, may be cited in illustration of his methodical habits :

"He was," says his biographer, "as rapid a reader as could be perceived, having the power of perceiving, by a glance down the page, whether it contained anything he was likely to make use of : a slip of paper lay on his desk, and was used as a marker, and with a slight pencilled S he would note the passage, put a reference on the paper, with some brief note of the subject, which he would transfer to his note-book, and in the course of a few hours he had classified and arranged everything in the work which it was likely he would ever want. It was thus, with a remarkable memory (not so much for the facts or passages themselves, but for their existence, and the authors that contained them), and with this kind of index both to it and them, that he had at hand a command of materials which have been truly said to be unequalled. Many of the choicest passages he would transcribe himself, or employ one of his family to transcribe for him ; and these are the extracts which form his 'Common-place.' There can be no doubt that persons who accustom themselves to taking notes are apt to rely upon referring to them, and, therefore, do not take the same pains in charging the memory with them, and, from not being exercised, this intellectual faculty becomes impaired. This was felt by Southey, who, in conversation with Dr. Shelton Mackenzie upon a question touching dates, remarked—'I could as soon fly as recollect these dates. I have trusted so little to memory, that memory will do little for me when I press her. I have a habit of making notes of what I should treasure up in my mind, and the act of writing seems to discharge it from my mind to the paper.'"

As life advanced, the nervous excitability of Southey's temperament obviously increased, and we find him in the prime of life (ætat. 45), and in the zenith of his fame, dwelling with painful anxiety on the aspect of the political world, and giving way to feelings of morbid apprehensions as to future events. The following letter, addressed to his friend Grosvenor Bedford, dated Keswick, Dec. 5, 1818, reveals to us a state of mind upon which we, as mental pathologists, would have pronounced a very unfavourable prognosis :—

"My dear Grosvenor," he writes, "it is between ourselves a matter of surprise to me that this bodily machine of mine should have continued its operations with so few derangements, knowing, as I well do, its excessive susceptibility to many deranging causes. The nitrous oxide" (which Sir Humphry Davy had then just discovered) "approaches nearer to the notion of a *neurometer* than anything which perhaps could be devised ; and I was acted upon by a far smaller dose than any one person upon whom it had ever been tried, when I was in the habit of taking it. If I did not vary my pursuits, and carry on many works of a totally different kind at once, I should soon be incapable of proceeding with any, *so surely does it disturb my sleep and*

*affect my dreams if I dwell upon one with any continuous attention. The truth is, that though some persons, whose knowledge of me is scarcely skin deep, suppose I have no nerves because I have great control as far as regards the surface ; if it were not for great self-management and what may be called a strictly intellectual regimen, I should soon be in a deplorable state of what is called nervous disease, and this would have been the case any time during the last twenty years. . . . I want now to provide against that inability which may any day or any moment overtake me. You are not mistaken in thinking that the last three years have considerably changed me ; the outside remains pretty much the same, but it is far otherwise within. If hitherto the day has been sufficient for the labour, as well as the labour for the day, I now feel that it cannot always, and possibly may not long be so. Were I dead, there would be a provision for my family, which, though not such as I yet hope to make it, would yet be a respectable one. But if I were unable to work, half my ways and means would be instantly cut off, and the whole of them are needed. Such thoughts did not use to visit me. My spirits retain their strength, but they have lost their buoyancy, and that for ever. I should be better for travelling, but that is not in my power. At present the press fetters me, and if it did not, I could not afford to be spending money when I ought to be earning it. But I shall work the harder to enable me so to do.**

Twenty years previous to this, as we have above seen, the same gloomy foreboding, the same ominous presentiment, crossed his mind ; is there not something prophetic in such spiritual forewarning ? May not the apprehension and dread of the calamity be in itself an exciting cause of it ? To work indeed he set with increased earnestness, and when, the following year, he projected a visit to his friend in London, he writes to him thus before commencing the journey—

“I have to finish ‘Wesley,’ which will be done in five weeks, taking it coolly and quietly. I have to finish the review of ‘Marlborough,’ which will require three weeks. One of them is my morning, the other my evening’s work. If I am satisfied about the payment for my last paper, I shall recast the article upon the new churches, and perhaps prepare one other also, in order to be beforehand with my ways and means for the spring of next summer. The ‘Tale of Paraguay’ has proceeded more slowly than tortoise, sloth, or snail ; I must finish it for publication in the ensuing year, or I shall not be able to keep my head above water.”

Such is the life of a literary man in active employment ; “Needle and stitch, needle and stitch,” as the poor sempstress sings in Hood’s pathetic “Song of the Shirt,” he may truly re-echo. “Look,” cries Carlyle, “to the biography of men of letters ; with the exception of the ‘Newgate Calendar,’ it is the most sickening chapter in the history of man.”

* Life and Correspondence, *loc. cit.*

We have only briefly alluded to Southey's marriage ; he was, at the period to which we now allude, the father of several children ; his wife keenly participated in all his anxieties, and she and her daughters might often be seen, sitting at the same table, copying out passages from books which he had marked to be extracted, all uniting cheerfully in assisting in those great literary undertakings which were the prop and honour of their house. The health of Mrs. Southey was delicate ; the precarious fortune of her children, and probably Southey's own gloomy anticipations, preyed upon her mind. Her despondency increased ; she became gradually more and more restless and unsettled ; until at length a total loss of appetite and want of sleep excited the most serious alarm. The usual precursory symptoms of this form of mental disease went on increasing until it eventually became apparent to her afflicted family that she was "no longer herself." "It is, perhaps," observes the Rev. Cuthbert Southey, "rash to endeavour to search into the causes of these mysterious visitations of providence ; but it may, I think, fairly be alleged, that an almost lifelong anxiety about the uncertain and highly precarious nature of my father's income, added to a naturally nervous constitution, had laid the foundation of this mental disease ; and my father himself now felt and acknowledged that Keswick had proved, especially of later years, far too unquiet a residence for her weakened spirits." With deep reluctance, but yielding to the imperative necessity of the case, her removal to an asylum was determined upon, as "affording the best, if not the only, hope of restoration ; accordingly, she was removed to the Retreat at York." It is impossible to describe the distress of Southey ; and it would almost be impertinent to attempt doing so in any other than his own language. In writing to his friend Grosvenor he says :—

"After what Henry Taylor has imparted to you, you will not be surprised at learning that I have been parted from my wife by something worse than death. Forty years has she been the life of my life, and I have left her this day in a lunatic asylum. God, who has visited me with this affliction, has given me strength to bear it, and will, I *know*, support me to the end, whatever that may be. Our faithful Betty is left with her ; all that can be done, by the kindest treatment and the greatest skill, we are sure of at the Retreat. I do not expect more than that she may be brought into a state which will render her perfectly manageable at home. More is certainly possible, but not to be expected, and scarcely to be hoped. To-morrow I return to my poor children. There is this great comfort—that the disease is not hereditary, her family having, within all memory, been entirely free from it. I have much to be thankful for under this visitation. For the first time in my life, I am so far beforehand with the world, that my means are provided for the whole of next year, and that I can meet this additional expenditure, considerable in itself, without any difficulty.

Another thing I am thankful for is, that the stroke did not fall upon me when the printers were expecting the close of my naval volume, or the 'Memoir of Dr. Watts.' To interrupt a periodical publication is a grievous loss to the publishers, or, at least, a very serious inconvenience. Some old author says, "Remember, under any affliction, that time is short; and that though your cross may be heavy you have not far to bear it." I have often thought of those striking words."

This melancholy letter was dated, York, Thursday night, October 2, 1834; and the morning following, addressing, in the same mournful tone, his friend Taylor he says:—

"Yesterday, I deposited my dear wife in the Retreat for lunatics, near the city, and to-day I visited her there. To-morrow I return home to enter upon a new course of life. Recovery is possible; but I do not attempt to deceive myself by thinking that it is likely. It is very probable that she may be brought into a state which will no longer require restraint. In that case I shall engage a proper attendant from this place, bring her home, appropriate two rooms to her use, and watch over her, to give her all the comforts of which she may be capable, till death do us part. The call upon me for exertion has been such that, by God's help, I have hitherto felt no weakness. That this is a far greater calamity than death would have been, I well know. But I perceive that it can be better borne at first, because there is a possibility of restoration, and, however feeble, a hope. Therefore, that collapse is not to be apprehended, which the circumstances of a mortal sickness, and death, and burial, call forth in the survivor, is at an end. Mine is a strong heart. I will not say, that the last week has been the most trying of my life; but I will say, that the heart which can bear it, can bear anything. It is remarkable, that the very last thing I wrote, before this affliction burst upon me, was upon resignation."

Upon his return to Keswick, he was surprised by a letter from his friend Taylor, offering to receive his daughters in his house:—

"Thank you, most heartily," he answers, "for your offer; but, at present, it is better that I should be alone, and that the girls should be left to themselves with Miss Hutchinson. For me this is best, because nothing is so painful as a reaction of your own thoughts after you have been for awhile drawn away from them, if this be attempted too soon. When I can enjoy your company, I shall be most thankful for it; and as you know I shall not give myself to melancholy, you need not apprehend any ill consequences from my being alone."

Truly, observes his affectionate biographer, this was an awful separation between those who had been so long, so truly united;—to this, death had been a light evil, for when are we so near as then,—

'Tis but the falling of a leaf,
The breaking of a shell,
The rending of a veil.

But what a gulf is there "fixed" between the reasoning and the unreasoning mind. While the affliction was yet recent—and there was room even to hope against hope, Southey contended manfully with the grief which nevertheless was inwardly undermining the stability of his own mind.

"He kept up, indeed," continues his son, "wonderfully, and a common observer would have remarked but little change in him, except that he was unusually silent ; but to his family the change was great indeed ; yet he bore the trial patiently and nobly ; and when, in the following spring, it was found that the poor sufferer was likely to be better under his own roof, and the period of suspense and doubt, and alternate hope and fear, had passed away, it was marvellous how much of the old elasticity remained, and how, though no longer happy, he could be contented and cheerful, and take pleasure in the pleasures of others."

About three weeks after his return home, he writes :—

"This morning's letter is decidedly favourable, and I feel its effects. Hitherto, I have not recovered my natural sleep at night ; plenty of exercise and quiet employment fail of their wonted effect in producing, because, in darkness and solitude, uncomfortable thoughts prevent sleep for awhile, and then trouble it. I should not be better for society, nor for leaving home. There is nothing to be done but to pursue the same course of self-management, live in as much hope as it may be reasonable to encourage, and above all, to bear always in mind that we have entered upon the last of our seven stages. In a very few years, what may have befallen us in the course of these years may be of some interest to any one who may write my life ; but it will be of no consequence to us, whose lot, doubtful as it is for the short remaining portion of our time, is, I trust, fixed for eternity."

A little later, to another friend he writes :—

"I am beginning to sleep better the last few days, and I do everything that is likely to keep myself in bodily and mental health—walking daily in all weathers, never overtasking myself, or forcing myself to a distasteful employment, yet never remaining idle. But my spirits would assuredly give way were it not for a constant reference to another world, and a patient hope of God's mercy in this."

The reputation which Southey had achieved—the marked influence which his polemical writings in defence of the established church and the prerogatives of the crown had at various times had on public opinion ; and the numerous friends by whom he was admired and esteemed, necessarily caused the subject of his affliction to be a topic of much conversation. His society, when he visited London, which he only did occasionally, had been sought by persons of the highest rank and consideration ; in illustration of which we may cite the following interesting little anecdote of her present majesty :—

"Upon one occasion he received an invitation to dine with the Duchess

of Kent, at Kensington Palace, and at the conclusion of the repast, before the ladies had retired, the young Princess Victoria came up to him, and curtsying gracefully, said to him very prettily, 'Mr. Southey, I thank you for the pleasure I have received in reading your 'Life of Lord Nelson.' '*

We are not, therefore, surprised to find that Sir Robert Peel—that munificent patron of literature and the fine arts—when prime minister, wished to confer some marked honour on a man so distinguished. He was probably ignorant of his domestic circumstances :—

"One morning," says our biographer, "shortly after the letter had arrived, my father called me into his study, and said, 'You will be surprised to hear that Sir Robert Peel has recommended me to the King for the distinction of a baronetcy, and you will probably feel some disappointment when I tell you that I shall not accept it, and this more on your account than my own. I think, however, you will be satisfied I have done so for good and wise reasons.' He then read to his son Sir Robert Peel's letter, stating that he 'had advised the King to adorn the distinction of baronetage with a name the most eminent in literature, and which had claims to respect and honour which literature only can confer ;' and Sir Robert added that 'the King most cordially approved of his proposal.' "

This official letter was accompanied by another, marked "private," couched in the warmest and most friendly terms. He then read to his son the answer he had written, declining the honour ; and as it is essential, in considering the fluctuations of bodily and mental health, to take into consideration those extrinsic circumstances which operate as exciting causes, we have thought it right to give this letter at length. It describes Southey's circumstances at the time so very fully, and is in some parts so affectingly written, that it cannot fail to be read with interest. He says :—

"Dear Sir,—No communications have ever surprised me so much as those which I have this day the honour of receiving from you. I may truly say also, that none have ever gratified me more, though they make me feel how difficult it is to serve any one who is out of the way of fortune. An unreserved statement of my condition will be the fittest and most respectful reply. I have a pension of 200*l.*, conferred upon me through the good office of my old friend and benefactor, Charles W. Wynn, when Lord Grenville went out of office ; and I have the Laureateship. The salary of the latter was immediately appropriated, as far as it went, to a life insurance for 3000*l.* This, with an earlier insurance of 1000*l.*, is the whole provision I have made for my family ; and what remains of the pensions after the annual payments are made, is the whole of my certain income. All beyond must be derived from my own industry. Writing for a livelihood, a livelihood is all I have gained ; for, having

* *Reminiscences of Samuel Taylor Coleridge, and Robert Southey.* By Joseph Cottle. London. 1847. P. 424.

also something better in view, and therefore having never courted popularity, nor written for the mere sake of gain, it has not been possible for me to lay by anything. Last year, for the first time in my life, I was provided with a year's expenditure beforehand. This exposition might suffice to show how utterly unbecoming and unwise it would be to accept the rank which, so greatly, to my honour, you have solicited for me, and which his majesty would so graciously have conferred; but the tone of your letter encourages me to say more.

My life insurances have increased in value. With these, the produce of my library, my papers, and a posthumous edition of my works, there will probably be 12,000*l.* for my family at my decease. Good fortune, with great exertions on the part of my friend's surviving friends, might possibly extend this to 15,000*l.*, beyond which I do not dream of any further possibility. I had bequeathed the whole to my wife, to be divided ultimately between our four children; and having thus provided for them, no man could have been more contented with his lot, nor more thankful to that Providence on whose especial blessing he knew that he was constantly, and, as it were, immediately dependent for his daily bread.

"But the confidence which I used to feel in myself is now failing. *I was young in health and heart at my last birthday, when I completed my sixtieth year. Since then, I have been shaken at the root.* It has pleased God to visit me with the severest of all domestic afflictions, those alone excepted into which guilt enters. My wife, a true helpmate as ever man was blessed with, lost her senses a few months ago. She is now in a lunatic asylum; and broken sleep and anxious thoughts, from which there is no escape in the night season, have made me feel how more than possible it is that a sudden stroke may deprive me of those faculties, by the exercise of which this poor family has hitherto been supported. Even in the event of my death, their condition would, by our recent calamity, be materially altered for the worse; but if I were rendered helpless, all our available means would procure only a respite from actual distress.

"Under these circumstances, your letter, sir, would, in other times, have encouraged me to ask for such an increase of pension as might relieve me from anxiety on this score. Now that lay sinecures are in fact abolished, there is no other way by which a man can be served, who has no profession wherein to be promoted, and whom any official situation would take from the only employment for which the studies and the habits of forty years have qualified him. This way, I am aware, is not to be thought of, unless it were practicable as part of a plan for the encouragement of literature; but to such a plan, perhaps, these times might not be unfavourable. The length of this communication would require an apology, if its substance could have been suppressed; but on such an occasion, it seemed a duty to say what I have said; nor, indeed, should I have deserved the kindness you have expressed if I did not explicitly declare how thankful I should be to profit by it."

This letter, subscribed in the usual form, was dated Keswick, Feb. 3, 1835.

In the meantime, Southey's anxiety for the mental convalescence of his "dear Edith" daily increased; post after post was looked forward to as the messenger of hope; and as the reports of her state improved, he thus reasoned with himself:—"The far greater number," he observes, "of incurable patients in asylums are kept there to be out of the way of their respective families. This may be necessary in some cases, but where it is not necessary, it seems to me that we are no more justified in thus ridding ourselves of a painful duty, than we should be in sending a wife or a mother to die in an infirmary, that we might escape the trouble of attending either upon a death-bed." We fully appreciate the kindly feeling and force of this remark, but mental diseases are not, in respect of treatment, to be compared with bodily diseases. A person may be treated for gout or rheumatism, or any bodily ailment, as well—perhaps better—at home, than in a hospital; but this does not apply to mental disease; for if experience has ever established one fact more clearly than another, it is, that home treatment in all cases of mental disease is pernicious. When the mind is affected, the very presence of the nearest and dearest relation—probably no longer, under some existing delusion, so esteemed—provokes excitement, and the cure of the case becomes indefinitely retarded. The very case of poor Mrs. Southey will prove in the sequel an evidence against the removal of patients to their homes while they are yet imperfectly recovered, or only advancing towards convalescence. Actuated, however, by the purest and best motives, Southey determined upon removing her from the "Retreat." Accordingly he proceeded for that purpose to York, and having taken her out of the asylum, stayed with his sad charge a few days at Scarborough, whence he wrote in the following terms to his son:—

"The monotony of this week is a curious contrast to the excitement and movements of the preceding month. The first great change in your life has taken place during this interval, and I am about to enter upon not the least in mine, so different will my household be from what it has formerly been, and so much will it be reduced. Your sisters will find themselves supported in the performance of their duties; and after the emotion which our return must produce is over, their spirits, I doubt not, will rally. We shall always have enough to do—they as well as myself: and this certain, that they who are resigned to God's all-wise will, and endeavour to do their duty in whatever circumstances they are placed, can never be thoroughly unhappy—never, under any affliction, can find themselves without consolation and support."

This letter was dated the 27th March, 1835.

Upon returning home, he watched over his beloved patient with unremitting solicitude, and hailed with sanguine hope the slight

appearance of temporary improvement; but they who know from experience how transient are the lights and shadows which pass across the deranged mind; how deceptive the lucidity which may for hours or even days seem to justify the promise of permanent restoration, will make every allowance for Southey fostering expectations which were destined never to be realized. But how did this constant watching and anxiety—this ever-recurring wear and tear of the heart and brain—operate on the mind of Southey? He was harassed not only by the lamentably mental condition of her who had been to him a true and affectionate helpmate for above forty years; but the apprehension of his children being left insufficiently provided for still depressed him. Writing to one of his friends, he tells him it never was his intention to leave his daughters to take care of their mother, thereby transferring to them a duty he was able and determined to bear; and he then adds:—

“If anything should be done for me (which is equally unwise to build upon and unjust to doubt); if, I say, my circumstances should be rendered easy, I believe it would have a happy effect upon her, who for some twenty years has been anxious overmuch on that score, though in the morning of life, when all my exertions and all her economy were required, if either had failed in their respective duties we must have sank; but her spirits then failed as little as mine.”

Two days after he had written this letter—while his mind was haunted by these misgivings—he received from Sir Robert Peel the following communication:—

“My dear Sir,—I have resolved to apply the miserable pittance at the disposal of the crown on the civil pension list fund altogether to the reward and encouragement of literary exertions; and I do this on public grounds, and much more with the view of establishing a principle, than in the hope, with such limited means, of being able to confer any benefit upon those whom I shall name to the crown, worthy of the crown and commensurate with their claims. I have just had the satisfaction of annexing my name to a warrant which will add 300*l.* annually to the amount of your existing pension. You will see in the position of public affairs a sufficient reason for my having done this without delay, and without previous communication with you. I trust you can have no difficulty in sanctioning what I have done with your consent, as I have acted on your own suggestion, and granted the pension on a public principle—the recognition of literary and scientific eminence as a public claim. The other persons to whom I have addressed myself on this subject are Professor Airey, of Cambridge, the first of living mathematicians and astronomers—the first of this country at least; Mrs. Somerville, Sharon Turner, and James Montgomery, of Sheffield. Believe me, my dear sir, &c., &c.

“Dated Whitehall, April 4, 1835.

“ROBERT PEELE.”

This pension of 300*l.* a-year—so handsomely, and without previous

communication with him, being conferred—in addition to the previous pension of 200*l.* a-year, must greatly have relieved Southey's mind from the fear of pecuniary difficulties ; but how in the meantime fared it with his afflicted wife ? In March, 1835, she was removed from the York Retreat, and on January the 30th, 1836, he writes to Mr. May, saying—

“There is no change in our domestic circumstances ; all hope is extinguished, while anxiety remains unabated, so sudden are the transitions of this awful malady. I can never be sufficiently thankful that my means of support are no longer precarious, as they were twelve months ago. The fear of being disabled, which I never felt before, might too probably have brought on the evil which it apprehended, when my life seemed to be of more consequence to my family than at any former time, and my exertions more called for. Thank God, Sir Robert Peel set me at ease on that score. . . . We have both great comfort in our children. Perhaps one reason why women bear affliction (as I think they generally do) better than men, is because they make no attempt to fly from the sense of it, but betake themselves patiently to the duties, however painful, which they are called upon to perform. It is the old emblem of the reed and the oak—they bend, and therefore they are not broken ; and then comes peace of mind, which is the fruit of resignation. Secluded as we now are from society, my daughters find sufficient variety of employment. They transcribe a good deal for me : indeed, whatever I want extracted of any length from books—most of my notes. One room is almost fitted up with books of their binding : I call it the Cottonian Library ; no patchwork quilt was ever more diversified. They have just now attired two hundred volumes in this fashion. Their pleasure indeed, in seeing the books in order, is not less than my own ; and, indeed, they are the pride of my eye and the joy of my heart.”

The following June he again writes, saying :—

“It is not possible for me to say when it will be fitting for me to return home. My presence, though it may be little comfort to my poor wife, is a very great one to my daughters ; my spirits help to keep up theirs ; and with what they have to do for me in the way of transcribing, and the arrival of letters and packets, which would cease during my absence, they would feel a great blank were they left to themselves. In her quieter moods, too, poor Edith shows a feeling towards me, the last perhaps that will be utterly extirpated.”

Still there was no manifest or enduring change for the better ; no appearance of the hope entertained when she was removed from the York Retreat, being realized. Three months afterwards—30th of September, 1836—he writes to Mr. Cottle :—

“How like a dream does the past appear ! Through the last years of my life more than any other part ! All hope of recovery, or even amendment, is over ! In all reason I am convinced of this ; and yet

at times when Edith speaks and looks like herself, I am almost ready to look for what, if it occurred, would be a miracle. It is quite necessary that I should be weaned from this constant object of solicitude ; so far at least as to refresh myself and recruit for another period of confinement."

In the midst of this heavy affliction Southey derived support and consolation from that source whence only in periods of trouble and sickness it can be found—religion ; he entertained a strong faith in the immortality of the soul, and our recognition of each other in a future state of existence.

"I could agree with you," he observes, in a letter to one of his friends, "that personal identity unbroken by death were little to be desired if it were all—if we were to begin a new life in the nakedness of that identity. But when we carry with us in that second birth all that makes existence valuable, our hopes and aspirations, our affections, our sympathies, our capacities of happiness and of improvement; when we are to be welcomed into another sphere by those dear ones who have gone before us, and are in turn to welcome those whom we left on earth, surely of all God's blessings the revelation which renders this certain is the greatest. There have been times in my life when my heart would have been broken if this belief had not supported ; at this moment it is worth all the world could give."

While he was writing these words, his "poor Edith" was dying.

"The end," he now writes, "cannot be far off, and all is going on mercifully. For several days when I have supported her down stairs, I have thought it was for the last time ; and every night when she has been borne up, it has seemed to me that she would never be borne down alive. Thank God, there is no pain—no suffering of any kind ; and only such consciousness as is consolation."

Another pause, and we then read :—

"It pleased God to release my poor Edith this morning (Nov. 16, 1837) from a pitiable state of existence, though we have always had the consolation of thinking it was more painful to witness than to endure. She had long been wasting away, and for the last month rapidly. For ten days she was unable to leave her bed. There seemed to be no suffering till excess of weakness became pain, and at no time any distress of mind; for being sensible where she was, and with whom, and of the dutiful affection with which she was attended, she was sensible of nothing more. My poor daughters have been mercifully supported through their long trial. Now that the necessity for exertion is over, they feel that prostration which in such cases always ensues. But they have discharged their duties to the utmost, and they will have their reward. It is a blessed deliverance ! the change from life to death and death to life, inexpressibly so for her."

When thus visited by any great calamity, the mind will, under its immediate shock, frequently become paralysed ; it will then recoil upon

itself, and in a state of reaction, reflection will suggest for its consolation principles of the purest and highest philosophy, such as may reconcile us to the most afflicting dispensations of divine providence; but this endures not, the self-sustaining resolution presently fails, and then the stream of grief from the over-oppressed heart will burst forth with increased force and poignancy, from the very circumstance of its having been restrained and suppressed. He who has lost by death an object to whom he has been *really* attached—in whatever connexion or relationship of life—and with whom he has been habitually and familiarly associated, may thus reason with himself, and obtain for awhile a mastery over his feelings; but the victory will be of short duration, for, despite himself, in solitary hours he will feel a gap—a void in his existence—which nothing can fill up. It is time only can soothe, if it ever can heal such wounds, and “what deep wounds ever heal without a scar?” This Southey keenly felt. During the first three years that his wife was so afflicted, we are told that he—

“Bore up wonderfully; and after the first shock had passed away, his spirits, though of course not what they had been, were uniformly cheerful; indeed, he had found in the performance of a sacred duty, that peace and comfort which in such paths is ever to be found; but it was otherwise after her death. When the necessity for exertion ceased, his spirits fell, and he became an altered man. Probably, the long-continued effort now began to tell upon him, and the loss of her who for forty years, in sickness and in health, had been the constant object of his thoughts, now caused a blank that nothing could fill up.”

He himself writes:—

“This event could not have been regarded otherwise than as a deliverance at any time, since there ceased to be a hope of mental restoration; and for several weeks it was devoutly to be desired. Yet it has left a sense of bereavement which I had not expected to feel, lost as she had been to me for the last three years, and worse than lost. During more than two-thirds of my life she had been the chief object of my thoughts and I of hers. No man ever had a truer helpmate. No children a more careful mother. No family was ever more wisely ordered; no housekeeping ever conducted with greater prudence or greater comfort. Everything was left to her management, and managed so quietly, and so well, that except in times of sickness and sorrow, I had literally no cares. I always looked upon it as conducing much to our happiness that we were of the same age, for in proportion to any perceptible disparity on that point, the marriage union is less complete, and so completely was she part of myself, that the separation makes me feel like a different creature. While she was herself I had no sense of growing old, or at most only such as the mere lapse of time brought with it; there was no weight of years upon me, my heart continued young, and my spirits retained their youthful buoyancy. Now the difference of five-and-thirty years between me and Bertha continually

makes me conscious of being an old man. There is no one to partake with me the recollections of the best and happiest portion of my life ; and for that reason, were there no other, such recollections must henceforth be purely painful, except when I connect them with the prospect of futurity."

Again Southey returned with increased ardour to his literary pursuits ; and about the beginning of the year 1839, rumours were abroad that he contemplated a second marriage. Habitually domestic, he felt the want of a companion and helpmate, and his thoughts turned towards a lady who had sympathised with him in all his afflictions, and who now consented to share with him the fortunes of his declining years—Miss Caroline Bowles, whose name is well known as an accomplished poetess. In a letter, dated February 18, 1839, he says :—

"You may possibly have heard from the newspapers that I have resolved upon a second marriage. I need not say that such a marriage must be either the wisest or the weakest action of a man's life. But I may say that in points of age, long and intimate acquaintance and conformity of opinions, principles, and likings, no persons could be better suited to each other."

In another letter he observes—

"Reduced in number as my family has been within the last few years, my spirits would hardly recover their habitual and healthful cheerfulness, if I had not prevailed on Miss Bowles to share my lot for the remainder of our lives. There is just such a disparity of age as is fitting ; we have been well acquainted with each other for more than twenty years, and a more perfect conformity of disposition could not exist ; so that in resolving upon what must be either the weakest or the wisest act of a sexagenarian's life, I am well assured that according to human foresight I have judged well and acted right, both for myself and my remaining daughter."

Accordingly Robert Southey was married to Miss Caroline Bowles, at Boldre church, on the 5th June, 1839. It was hoped and anticipated that this marriage would have had the effect of rallying his health and spirits ; but unhappily it proved otherwise ;—"The tree will wither long before it fall ;" and as he had pathetically said in his letter to Sir Robert Peel, he had been "shaken at the root." On his way home after his marriage (in 1839) he passed, with his wife, a few days in London, when his friends plainly perceived—that which, from the altered style of the few brief letters they had lately received from him, they already feared—that his intellectual faculties were becoming impaired. One of his most intimate friends at this period writes as follows :—

"I have just come home from a visit which affected me deeply. . . . It was to Southey, who arrived in town to-day from Hampshire, with

his wife. He is, I fear, much altered. The animation and peculiar clearness of his mind quite gone, except a gleam or two now and then. What he said was much in the spirit of his former mind as far as the matter and meaning went, but the tone of strength and elasticity was wanting. The appearance was that of a placid languor, sometimes approaching to torpor, but not otherwise than cheerful. He is thin and shrunk in person, and that extraordinary face of his has no longer the fire and strength it used to have, though the singular cast of the features and the habitual expression make it still a most remarkable phenomenon. Upon the whole I came away with a troubled heart. . . . He has been living since marriage in Hampshire, where he has not had the aid of his old habits and accustomed books to methodize his mind. All this considered, I think we may hope that a year or two of quiet living at his own house may restore him. The easy cheerful temperament will be greatly in his favour. You must help me to hope this, for I could not bear to think of the decay of that great mind and noble nature—at least not of its premature decay."

On the following day the same friend writes—

"I think I am a little relieved about Southey to-day. I have seen him three times in the course of the day, and on each occasion he was so easy and cheerful, that I should have said his manner and conversation did not differ, in the most part, from what it would have been in former days, if he had happened to be very tired. I say for the most part only, though; for there was once an obvious confusion of ideas. He lost himself for a moment; he was conscious of it, and an expression passed over his countenance which was exceedingly touching—an expression of pain and also resignation."

His friends now urged the necessity of diverting his mind by change of scene, and a short tour on the continent was proposed. A party of six was soon formed; and it was agreed that they should proceed through Normandy and Bretagne—visiting the principal towns—and that they should separate at Paris. The travellers accordingly set out upon their route. Southey took much interest in all he saw while actually travelling; the change and excitement seemed to keep up his spirits; still his movements were slower than usual; he was subject to frequent fits of absence; and there was an indecision in his manner and an unsteadiness in his step never before observed.

"The point," says his son, "in which he seemed to fail most was that he continually lost his way, even in the hotels we stopped at; and perceiving this I watched him constantly, as, although he himself affected to make light of it, and laughed at his own mistakes, he was evidently painfully conscious of his failing memory in this respect. His journal also, for he kept up his old habit of recording minutely all he saw, is very different from that of former journeys—breaks off abruptly when about two-thirds of our journey was completed; and shows, especially towards the close, a change in his hand-writing, which,

as his malady crept on, became more and more marked, until in some of the last notes he ever wrote, the letters are formed like the early efforts of a child. . . . Much of my father's failure, in its early stages, was at first ascribed by those anxiously watching him to repeated attacks of influenza, at that time a prevailing epidemic, from which he had suffered greatly, and to which he attributed his own feelings of weakness ; but alas ! the weakness he felt was as much mental as bodily—though he had certainly declined much in bodily strength—and this, after his return home, gradually increased upon him. The uncertain step, the composed manner, the eye once so keen and so intelligent, now either wandering or restlessly fixed, as it were, in blank contemplation ; all showed that the overwrought mind was worn out. One of the plainest signs of this was the cessation of his accustomed labours ; but while doing nothing—with him how plain a proof that nothing could be done—he would frequently anticipate a coming period of his usual industry. His mind, while any spark of his reasoning powers remained, was busy with its old day-dreams,—the history of Portugal—the history of monastic orders—all were soon to be taken in hand in earnest, all completed, and new works added to these. For a considerable time after he had ceased to compose he took pleasure in reading, and the habit continued after the power of comprehension was gone. His dearly-prized books, indeed, were a pleasure to him almost to the end, and he would walk slowly round his library looking at them, and taking them down mechanically."

We must now, as the last days of Southey draw to a close, picture to ourselves that once athletic frame, feeble and emaciated, sitting perhaps in "the Cottonian library," in which he formerly took a scholar-like yet playful delight, and gazing vacantly around him. We can conceive nothing more melancholy than the account which Wordsworth gives to Lady Bentinck of a visit to him :—

"I ought not," he says, "to forget that two days ago I went over to see Mr. Southey, or rather Mrs. Southey, for he is past taking pleasure in the presence of any of his friends. He did not recognise me till he was told. Then his eyes flashed for a moment with their accustomed brightness, but he sank into the state in which I had found him—patting with both hands his books affectionately like a child. Having in vain attempted to interest him by a few observations, I took my leave. It was for me a mournful visit, and for his wife also."

We learn also from Mr. Cottle, to whom Wordsworth communicated the particulars of this visit, that while he took books down from the shelves of his library from mechanical habit, he did not know his own children. In this state he lingered, gradually became weaker, until the 21st of March [1843], when, after a slight attack of fever, he "passed away without any outward signs of pain."

"It was a dark and stormy morning," says his biographer, "when he was borne to his last resting place, at the western end of the beautiful

churchyard of Crosthwaite. There lies his dear son Herbert. There his daughters, Emma and Isabel. There Edith, his faithful helpmate of forty years. But few besides his own family and immediate neighbours followed his remains. His only intimate friend within reach, Mr. Wordsworth, crossed the hills that wild morning to be present."

ART. II.—ON THE STRUCTURE AND FUNCTIONS OF NERVOUS TISSUE.*

It is well that we should, from time to time, present to our mind a *résumé* of our knowledge of different organic tissues, with the view of ascertaining the amount of progress we have made in those departments of science specially connected with the province of this journal. A recent edition of Dr. Carpenter's and Dr. Kirke's Physiology enables us to present to our readers a sketch of the state of our knowledge of the structure and functional peculiarities of nervous tissue. We need say nothing in commendation of Dr. Carpenter's labours as a physiologist. The new edition of his work speaks for itself. The labour bestowed upon it must have been immense. Many portions of the work have been entirely re-written. The two volumes before us may be considered fairly to represent the state of physiological science of the present day.

Although endowed with such varied and remarkable properties, the elementary structures through which the nervous tissue manifests its functions are extremely simple, consisting apparently of little else than highly endowed cells for the purpose of originating the nervous force or principle, and an assemblage of tubes or fibres for the transmission of this principle to the parts to be influenced by it. The function of the latter, namely, the fibrous element of the nervous tissue, being thus, as it were, secondary to the former, it might indeed be inferred that the cellular or vesicular element is the only essential constituent of nervous tissue, and there are not wanting arguments in support of this view; but since no animal organization has yet been discovered in which vesicular nervous tissue uncombined with the fibrous element occurs, we are compelled to believe that both these elementary parts of nervous tissue are essential to the production and manifestation of nervous phenomena.

Of these two constituent elements of nervous tissue, namely, the corpuscular and the fibrous, the one is usually collected into masses, or nervous centres, as they are termed, such as the brain, spinal cord, and the various ganglia; while the other, the fibrous element, is disposed in

* Principles of Physiology, General and Comparative. By W. B. Carpenter, M.D. 3rd edition. Churchill. 1851.

Hand-book of Physiology. By W. S. Kirkes, M.D., assisted by J. Paget, F.R.S. 2nd edition. Churchill. 1851.

the form of nervous trunks, issuing from such centres, and proceeding to all parts of the body, which they thus bring into connexion with the nervous centres. In describing the structure of nervous tissue, we will speak first of the fibrous element. This enters largely into the composition of the brain and spinal cord, forming the greater part of the white substance of these nervous centres; it is there, however, mingled and brought into relation with the corpuscular element, while in the nerves which issue from these centres it exists uncombined with corpuscles, and constitutes nearly their entire structure. The fibres or tubules of which this portion of nervous tissue is composed are met with under two distinct forms, characterised by certain peculiarities in size, colour, and structure. Although there is reason to believe that these diversities are more apparent than real, and that there is no more essential difference between the two kinds of fibres than might result from different stages of development of one and the same kind of fibre, yet it will be necessary to speak of each of them separately, and then to state the relation which they seem to bear to each other. Of the two kinds of fibres then, one consists of what are called *tubular* or *white fibres*, the other of *gelatinous* or *grey*: the former comprises most of the fibres found in cerebro-spinal nerves, the latter nearly all those which occur in the sympathetic system. In the nerves both of the cerebro-spinal and the sympathetic systems, however, both sets of fibres are found variously intermingled, so that it cannot be said that either system is composed exclusively of one set of fibres. Since the tubular form of nerve fibre enters so largely into the composition of the cerebro-spinal nerves, its structure can be best determined by an examination of one of these nerves. Each cerebro-spinal nerve-trunk is composed of a number of nerve-fibres arranged in fasciculi or bundles, each of which is surrounded and separated from the rest by a sheath of fine fibro-cellular tissue, while the entire nerve is itself also invested by a similar though coarser fibrous sheath, termed the neurilemma. The use of this investment to the entire nerve and to the individual bundles of which it is composed, is to protect and isolate the elementary fibres of the nerve, and at the same time to furnish them with a net-work of blood-vessels from which they may derive their supplies of nutriment. By separating the several fasciculi of which a nerve is composed, and dividing and subdividing any one of them, we arrive at length at the primitive nerve-fibres or fibrils, which are the essential elements of the fibrous portion of nervous tissue. When carefully examined, each elementary nerve-fibril of this class is found to consist of a delicate homogeneous cylindrical membrane, which forms a kind of isolating sheath or tubule for the proper nerve-substance contained within it. The nature of the substance thus enclosed within the tubular membrane is not yet clearly determined.

When a perfectly fresh cerebro-spinal nerve is examined microscopically, each individual fibril presents the appearance of a fine thread of glass, on account of the contents of the tubules appearing to consist of a clear colourless homogeneous fluid. But very shortly this appearance is lost, and the contents of the tubules undergo changes, which make it probable that, instead of being really homogeneous, they consist of two very different materials. Viewed under these circumstances, a nerve-fibril appears to be constituted first of a layer of soft whitish material, named the *white substance* of Schwann, situated immediately within the membranous tube, and surrounding the other, or second ingredient, which is a clear transparent material, occupying the centre or axis of the fibre, and hence termed the *axis-cylinder*. It is often very difficult to obtain a distinct view of these two individual portions of the nerve-fibre, for the whole substance contained within the tube is very soft, yielding readily to the slightest pressure, and causing the wall of the tube to bulge and become distorted. Moreover, the contents themselves seem to undergo a kind of coagulation, in consequence of which they collect in little masses, which distend the tubular membrane unequally, and cause it to assume a peculiar varicose or beaded appearance, instead of its previous cylindrical form. In spite, however, of these obstacles to a correct determination of the real structure of the primitive nerve-fibrils, it seems to be admitted, by nearly all physiologists of the day, that each fibre is really composed of the distinct portions just named, the one circumferential, the other central. Of these two portions, it is also now generally admitted that the latter, namely, the clear central-axis portion, is the essential component of the nerve-fibre, that on which its true functions depend; while the outer, white, medullary portion, serves only, or chiefly, as an isolator or protector to the important part within, surrounding and defending it in the same way and for the same purpose as both are surrounded by the tubular membrane outside. The principal evidence in favour of this view will be presently adduced.

In size, the nerve-fibrils just described vary considerably, the majority, however, measuring, in the trunk of a nerve, from $\frac{1}{1000}$ to $\frac{1}{500}$ of an inch in diameter. As a rule, they are much smaller when examined within the nervous centres than they are in the rest of the course, and they are also often noticed to diminish considerably in size previous to their peripheral termination. The fibres of the nerves of special sense, likewise, are smaller than those of the nerves of ordinary sense.

The gray or gelatinous fibres comprise the majority of the fibres found in the trunk and branches of the sympathetic nerve. They differ from those just described in being smaller, finer, of a pale yellowish gray colour, flat instead of cylindrical, without the double contour produced in the tubular fibres by their compound structure, and apparently devoid

both of an outer tubular envelope, and of the medullary or white substance of Schwann. They appear, indeed, to consist of little else than a material very similar to that forming the axis-cylinder in the tubular fibres, except that it possesses a finely granular appearance, and is marked by numerous nuclei adhering to its surface. So little general resemblance to the tubular fibres is possessed by these gray or gelatinous fibres, that their title to be regarded as nerve-fibres at all has been disputed. Without pausing, however, to consider this point, since by almost general assent their nervous character is admitted, we will briefly state some of the arguments in favour of the view that these fibres are not, as they at first sight seem to be, different in kind from the tubular fibres, but are merely modifications of them. Admitting as true what has been already stated, that the central part, or axis-cylinder, is the essential component element of the tubular fibre, the general resemblance which the gelatinous fibre presents to this might be deemed conclusive that it possesses the essential structural attributes of the tubular fibre. But stronger evidence of the same kind is afforded by the fact, that at their origin in the nervous centres, and very commonly at their peripheral terminations, the tubular fibres generally lose the white medullary portion which they possess in their course along the nerves, and then present the faint outline and finely granular aspect belonging to a gelatinous fibre. So also in the first development of nerve-fibres as witnessed in the tail of the tadpole, fibres exactly like those of the gelatinous kind may be seen gradually passing into and becoming continuous with proper tubular fibres, which are therefore, probably, only the same structure in a higher phase of development. Again, it is not uncommon to find in the same nerve, mixed with gelatinous and tubular fibres, other fibres, which in general characters are intermediate between the two varieties, thus showing a kind of transition from one kind of fibre to the other, and helping to demonstrate the truth of the view which is now rapidly gaining ground, that there is no real difference between the gelatinous and the tubular fibres; that they both contain the same essential nervous element; and that the small size and homogeneous structure of the gelatinous fibre is due to its being, for some special purpose, less completely developed than the tubular fibre.

The origin, course, and termination of the nerve-fibres will be more advantageously studied after a description of the second component element of nervous tissue—namely, the vesicular or corpuscular structure.

The vesicular structure of nervous tissue consists of nucleated cells, in various stages of development, collected together in masses, and imbedded in a finely granular blastema, which is traversed by blood-vessels and nervous fibrils, the several collections constituting what are termed nervous

centres or ganglia. The cells, which are also termed ganglion-corpuscles, or nerve-vesicles, differ greatly in size, some being scarcely larger than a human blood-corpuscle, while others may be one-three-hundredth of an inch in diameter. They are nucleated, very often nucleolated also, and contain a finely-granular or grumous material, in which are occasionally noticed larger and darker particles, giving the corpuscles a peculiar dark brownish appearance. The majority of the corpuscles are spheroidal, though from mutual pressure they often become more or less angular and irregular in shape. Besides these latter irregularities in form, which have long been noticed, other varieties have lately been discovered, which promise to be of great service in helping to a right interpretation of nervous phenomena. The varieties now alluded to are those in which corpuscles present a peculiar caudate or stellate form, in consequence of one or more processes being given off from their surfaces. Usually these processes extend but a short distance from the corpuscle, terminating abruptly, or in a fine point; but occasionally they may be traced much further, and even seen to branch, and not unfrequently one of the branches may be seen to become directly continuous with a nerve-fibre, which thus appears to originate from it, or rather, by means of it, from the corpuscle. The processes which issue from the nerve-corpuscles are moreover tubular, and are filled with granular material, similar to that in the interior of the corpuscle, from which indeed they seem to derive it, for the contents of each appear to be continuous, the processes being so many hollow tubes issuing from and communicating with the interior of the corpuscle. The nerve-fibres, which appear to originate in this manner from the nerve-corpuscles, at first consist simply of the pale granular out-growth of the contents of the corpuscle, but when traced further they may be seen gradually to assume a medullary sheath of white substance, and thus come to resemble an ordinary tubular fibre. This fact has been already partly alluded to as seeming to prove an identity between the tubular and gelatinous fibres.

Although many of the nerve-fibres entering a ganglion or nervous centre are thus found to be directly continuous with the ganglion-corpuscles, yet many other fibres pass through, apparently without forming any such connexion; while there are also found many corpuscles in the various nervous centres, in which no such close relation between them and the nerve-fibres around them exists; the question, therefore, still remains unsettled, whether all nerve-fibres thus originate in ganglion-corpuscles, and if this mode of origin is not universal, whether there is any functional diversity between those fibres which do and those which do not possess this intimate connexion with the ganglion-corpuscles. Dr. Carpenter seems inclined to adopt the view that the cells from which the nerve-fibres seem to spring are those by which they are

formed, whilst the globular cells among which they pass are rather the instruments of their functional changes. "This idea," he remarks, "derives confirmation from the researches of Kölliker on the peripheral origin of the nerve-fibres; for he has found that in the tail of the tadpole the nervous plexuses are formed after the same fashion as the capillary net-work, namely, by the inosculation of the prolongations of radiating cells whose centres are at a considerable distance from each other."

Further investigation is, however, necessary before a definite judgment can be pronounced respecting the number and kind of fibres which are thus brought into immediate relation with the ganglion-corpuscles.

This portion of the subject naturally leads to a consideration of the central and peripheral terminations of nerve-fibres, and of certain peculiarities observed in their course from one extremity to the other. The central termination, or perhaps, more correctly, the central origin, of the majority of nerve-fibres, is obviously effected by their becoming connected with ganglion-corpuscles in the manner described. As the fibres enter a nervous centre, they gradually become finer, the outer white substance of the tubular fibres gradually disappears, while the central gelatinous portion becomes continuous with the granular processes arising from the ganglion-corpuscles. Whether all the fibres of both kinds of nerves enter into this close relation with the ganglion-corpuscles is, as already stated, still uncertain, though it seems highly probable that they do.

In their course from their central to their peripheral extremities, the individual fibres of each nerve are supposed to proceed uninterruptedly, each fibre preserving its continuity, without branching or anastomosing, from one extremity to the other.

The phenomena of nervous action are more intelligible according to this view than they would be if it were assumed, as has been recently suggested, that such continuity and singleness of each individual fibre throughout its entire course do not exist. The question, indeed, is not easy of anatomical solution; but since all physiological reasoning is on the side of perfect continuity of fibre, from origin to termination, and no sufficient evidence against this view has yet been advanced, it may still be allowed to stand. Although there is probably no anastomosing or union of the substance of one fibre with that of another in their course along the nerves, yet we frequently observe an intermingling of fasciculi of fibres of different nerves. This is seen in the formation of the various plexuses, and of the nerves which issue from them; the plexuses being formed by the interchange of bundles of fibres from various nerves, while the nerves which emerge therefrom are also made up of fibres derived from several different nerves. The object of such

interchange of fibres is obviously to afford the several nerves issuing from the plexus a wider connexion with the nervous centres than they would otherwise have. For example, since the brachial plexus is formed by the intermingling of fibres from the four last cervical and first dorsal nerves, each nervous trunk emerging from this plexus probably contains within it fibres derived from the several parts of the cord intermediate between the origin of the fourth cervical and the first dorsal nerve, and hence the parts supplied by it will have wider relations with the nervous centres, and more extensive sympathies, than they could have if they were supplied by nerves proceeding directly from the spinal cord, and without such intermediate connexion with other nerves.

At their peripheral extremities nerve-fibres terminate in various ways; but in almost every case, previous to their termination, they break up and form delicate networks, called the terminal plexuses. From these plexuses the individual fibres issue, to terminate in the elementary tissue of the parts in which they are placed.

Concerning the mode in which the ultimate fibrils are really disposed of, much doubt still exists; but as far as microscopic investigation at present extends, we are entitled to admit of at least three distinct modes of termination: first, by a kind of looped arrangement, in which the individual fibril, after issuing from a terminal plexus, forms a single narrow loop on the tissue in which it occurs, and then turns back to join the plexus from which it proceeded, or an adjoining one, and thus, probably, pursues its way back to the nervous centres. This mode of termination has been observed in the papillæ of the tongue, the tooth-pulp, the internal ear, and other parts. A second mode of termination has been described as present in serous membranes, in which the nerve-fibres form minute plexuses composed of innumerable delicate fibres. In the third mode of termination the individual fibrils end in free extremities. There is reason to believe that the fibres in the papillæ of the skin, as well as in other parts, terminate in this way; but it is only in the little bodies named Pacinian corpuscles that this mode of termination has been clearly determined. These Pacinian corpuscles are small, oval, elongated bodies, situated on some of the cerebro-spinal and sympathetic nerves, especially on the cutaneous nerves of the hands and feet. Each corpuscle, attached by a narrow pedicle to the extremity of the nerve, is formed of several concentric layers of fine membrane, with intervening spaces filled with fluid. Through the pedicle by which the corpuscle is attached to the nerve, a single nerve-fibril enters it, traversing the concentric layers of membrane and the intervening fluid, and terminates in a knob-like enlargement, or by bifurcation, at or near the distal end of a small central cavity existing in the

interior of the corpuscle. As the fibril enters the corpuscle it gradually loses its outer investing portion, and while traversing the central cavity is very small and delicate, and appears to consist of little else than its central gelatinous portion. There are certain peculiarities often observed in the mode of termination of the nerve-fibre within the corpuscle, but into these it is not necessary here to enter, the account just given being applicable to the majority of the corpuscles.

The chemical composition of nervous tissue demands a few remarks. Owing to the presence of blood and capillary blood-vessels, and probably other accessory tissues in nervous matter, it is scarcely possible to submit it to an exact chemical analysis. But the same difficulty exists in the case of most other tissues, and need scarcely be considered in the results of the ordinary analyses to which nervous tissue has been submitted, and which show it to consist of albumen, fatty matter, and salts, combined with a very large proportion of water. The large quantity of water, amounting to from four-fifths to seven-eighths of the whole tissue, is very remarkable; and, as observed by Dr. Carpenter, is especially interesting when considered in relation to the fact that the "vital activity of a tissue is usually greater, as the proportion of its solid to its fluid contents is less;" for there is no tissue whose vital energies are so active as those of the nervous tissue. According to Frémy, the cerebral substance, which may be taken to represent nerve-substance in general, consists of 80 per cent. of water, 7 of albumen, and 5 of fatty constituents. The albuminous ingredient requires no comment here. The fatty principles are remarkable from the fact that two of them, which are acid compounds, contain a large proportion of phosphorus. The total amount of phosphorus thus existing in the brain is very considerable, being from 8 to 18 parts in 1000 of the whole mass, or from one-twentieth to one-thirtieth of the entire solid matter. This important ingredient in the nervous tissue appears to be continually given off during the change and disintegration which ensue in the nervous as well as other tissues in the discharge of their ordinary functions.

It is now a well-established fact, that in every act of an organized structure, there is a corresponding change or death of a certain amount of the acting tissue, the act indeed being the manifestation of the chemical change, and the index of its amount. The elements of the parts thus changed or decayed assume new forms and combinations, leave the tissues to which they are no longer of use, and often re-appear in a discernible form in some other part of the body, affording thus a proof of the disintegration of a given tissue, and a tolerable estimate of the amount of waste undergone. We observe this especially in the muscular tissue, the amount of the disintegration of which is pretty accurately determined by the quantity of urea into

which the elements of the wasted tissue resolve themselves, found in the urine. So, too, in the nervous system, a tolerably correct estimate of its activity can be formed, by determining the amount of alkaline phosphates found in the urine: for the phosphorus set free by the disintegration of nervous tissue during the discharge of its active functions, unites, in the form of an acid, with the alkaline bases in the blood, and is thence separated at the kidneys, and discharged with the urine. In this manner, may be explained the alkaline urine, depending on excess of alkaline phosphates, after undue exercise of the mind, which is necessarily attended with an unusual waste of the cerebral tissue.

In forming an estimate of the amount of disintegrated cerebral tissue, by the quantity of phosphates present in the urine, the alkaline phosphates alone have to be considered, for the quantity of earthy phosphates present in the urine have been shown by Dr. B. Jones to be dependent on the quantity taken in as food, and not on the decay of nervous tissue.

Having offered this brief outline of the structural and chemical peculiarities of nervous tissue, we proceed to give a general sketch of its functions. Nervous tissues being composed, as already shown, of two distinct portions,—a vesicular, designed to originate nervous impulses and to take cognizance of impression conveyed to it, and a fibrous, designed to transmit the nervous influence to and from the vesicular portion,—it follows, that in considering the general functions of the nervous tissue, we must deal separately with each of these two elementary parts, of which the tissue is composed. But it may be as well to state generally, in the first place, what is the special purpose and office of the nervous tissue considered as a whole: and in doing this, no better words can be used than those of Dr. Carpenter, who says,—

“The functions of the nervous system are two-fold: first, to bring the conscious mind (using that term in its most extended sense, to denote the psychical endowments of animals in general) into relation with the external world—by informing it, through the medium of the organs of sensation, of the changes which material objects undergo: and by enabling it to re-act upon these through its motor apparatus: and also to connect and harmonize different actions in the same individual, without necessarily exciting any mental operation. These two sets of purposes, however, are fulfilled by a mechanism of the same kind. An ‘impression’ made upon some part of the general surface of the body, or upon a special organ of sense, is received by the nerve-fibres, which originate in it, and is propagated by them to some part of the central ganglionic apparatus. If the impression reach the portion termed the *sensorium*, (which is always seated in the *head*, where this can be distinguished,) it then affects the *consciousness* of the animal, and becomes a *sensation*, provided the *sensorium* be in a con-

dition of activity. The sensation thus produced may give rise to ideas, and these to reasoning processes, which may terminate in an act of the will; and this playing, as it were, upon the nervous apparatus, produces a change in the condition of that portion of the nervous centres from which the motor nerves arise, whence it is propagated by these nerves to certain muscles, and excites them to contraction. But the sensation may, in itself, more directly excite a motor action, without any reasoning process or voluntary effort: and the movement is then said to be 'automatic.' Farther, even if the impression do not reach the sensorium, it may still excite a motor action through some other nervous centres: and the movement thus produced is 'automatic' like the preceding, from which it differs, in not being prompted by a sensation, but in resulting from the conveyance of the simple impression to a portion of the nervous centres capable of originating a respondent action."

Such being the general functions of the nervous system, we will proceed to consider, rather more in detail, the share taken by the two elementary portions of the tissue, through the influence of which these functions are discharged. That the vesicular portion of nervous tissue is the seat of all the active powers of the nervous system, while the fibrous portion merely serves to conduct nervous impressions to or from them, may be proved in various ways, but, perhaps, most readily by an experiment of the following kind. If a nerve, which is but a collection of the fibrous elements, be divided at any part of its course, all the parts supplied by the portion thus separated from the nervous centres, will be paralysed both in motion and sensation, while the parts supplied by the portion still in connexion with the nervous centre will retain their sensation and power of motion. Moreover, irritation of that portion of the divided nerve in connexion with the nervous centre, excites sensations which are referred to the parts supplied by the other portion of the divided nerve, showing that it is at the nervous centres alone that impressions are perceived as sensations; on the other hand, irritation of the separated portion of the divided nerve is followed by motion in the muscular parts supplied by this portion, showing that the nerve retains its power of conducting impressions though it is unable to originate them.

In the discharge of their respective shares of the functions of the nervous system, the fibrous and vesicular elements appear to be governed by certain laws into which it may now be desirable briefly to inquire. For this purpose, we will follow the account given in Dr. Kirkes's 'Handbook of Physiology,' and will commence with the fibrous portion of the nervous tissue. Speaking generally, nerve-fibres may be said to convey impressions in two directions; first, they convey to the centres impressions made on their peripheral extremities; secondly,

they transmit impressions from the brain and other nervous centres, to the parts to which they are distributed, these latter impressions being of, at least, two kinds, namely, those which excite to muscular action, and those which influence the nutrition, secretion, and other organic functions of a part. As far as we, at present, know, the same fibre cannot convey impressions in opposite directions, neither does it seem to be able to convey impressions of different kinds, even in the same direction. Hence, there are, at least, two distinct sets of fibres provided, the one to transmit impressions from the nervous centres, and hence called centrifugal or efferent fibres, the other to convey impressions towards the centres, and hence called centripetal or afferent.

The former set comprises the nerves of motion, the latter the nerves of special and ordinary sensation: the nervous influence by which the organic functions of nutrition, secretion, and the like, are governed, being supposed to be conveyed along both sets of fibres. Although the fibres thus differ in function, yet there is no obvious difference in structure, neither does the tissue to which they are distributed, determine the kind and direction of the impression they convey, for the muscular tissue is endowed with both motor and sensitive properties.

In order that nerve-fibres may act and convey impressions, they must be stimulated, since they possess no power of originating impressions in themselves. Under ordinary circumstances, nerves of sensation are stimulated by external objects acting upon their extremities; and the nerves of motion by the will, or by some force generated in the nervous centres. But almost all things that can disturb the nerves from their passive state act as stimuli, and in this way all chemical, mechanical, or electric irritation will excite nearly the same effect as the natural stimuli, provided they are not so violent as to destroy or seriously injure the fibre to which they are applied.

Some of the laws and conditions of action observed in nerve-fibres apply to both sensitive and motor nerves, while some are peculiar to nerves of motion, others to nerves of sensation. Of the laws common to both fibres we may mention that an impression made on any fibre is transmitted along it simply and uninterruptedly without being diffused among any of the fibres lying near it. This is in accordance with the view that each fibre is simple and continuous from its central to its peripheral extremity, while the complete isolation afforded by the tubular sheath around it is probably the reason why the impression is not imparted to the surrounding fibres, the sheath acting like the isolating covering to an electric wire. Again, the rate at which nervous force travels is immeasurably rapid; possibly some interval does elapse in the transit of an impression, but it is too small to be appreciated.

Another law is, that the same fibre, as has been already stated, cannot convey more than one kind of impression. Thus a motor nerve cannot convey sensitive impressions, neither can a sensitive nerve convey motor impressions : so too, a nerve of special sense can only convey those impressions which give rise to the sense peculiar to the organ it supplies. The only apparent departure from this law has been already stated, namely, that the impressions governing the organic functions of nutrition and secretion seem to be capable of passing along both sensitive and motor filaments.

With respect to the laws peculiar to the nerves of sensation, we find first, that impressions are conveyed only in the direction from their periphery towards the nervous centres in which they arise. Thus, if a sensitive nerve is divided, and irritation is applied to the portion still connected with the nervous centre, sensation is perceived, but no effect ensues while the other portion of the divided nerve is irritated. Secondly, an impression made upon any part of the course of a sensitive nerve is perceived both there and at all the parts to which the fibres of the irritated portion of the nerve are distributed ; the explanation being, that the mind always refers the impression produced by irritation of a sensitive nerve to the peripheral extremities of the fibres of such nerve. In this way is explained the fact that when part of a limb has been removed, irritation of the nerve of the stump produces sensations referred to the lost part: the same is sometimes noticed after division of a nerve for neuralgia. The only law specially relating to motor nerve-fibre is the converse of one already mentioned as belonging to sensitive fibres, namely, that motor impressions are conveyed only in the direction from the centre towards the circumference. Thus, if the distal end of a motor nerve be irritated, contractions of the muscles supplied by its branches ensue, while no result follows the application of the irritant to the portion of the nerve still in connexion with the nervous centre.

The vesicular nerve-substance is collected, as already described, into masses denominated nervous centres ; as, for example, the brain, spinal cord, and the several ganglia. In speaking, therefore, of the functions of the vesicular portion of nervous tissue, we shall have to consider the functions of nervous centres generally. The remarks already offered will have shown that the office of a nervous centre is of a twofold nature—namely, to take cognizance of impressions brought to it by the nervous fibres, and to originate (either in consequence, or independent of such impressions) impulses which are transmitted to various parts of the body, for the purpose of determining and governing their functions. The instances in which nervous centres can be said to originate impulses, independently of being excited thereto, either by the mandates of the will, or by impressions conveyed to them from without, are however

very few. For in the majority of cases, the impulses are consequent on an act of volition, or are called into existence by the transmission of an impression to the centres, through centripetal fibres. The nervous force which excites the rhythmical action of the heart may, however, be said to be issued spontaneously from the nervous ganglia within this organ; and the spinal cord may be said to generate spontaneously the force requisite to keep the sphincter ani in contraction; but beyond these, and a few other similar examples, the nervous force which issues from a nervous centre is called into existence by some applied stimulus, and does not originate in a spontaneous action of such centre. For example, the nervous influence requisite to make a muscle contract is, in most cases, excited either by an act of will, or by some impression conveyed to the nervous centre by a centripetal nerve. Although, therefore, we are justified in considering a nervous centre as really an originator of nervous force, yet we must do so with certain qualifications, and admit that some external stimulus is in most cases necessary, in order that the nervous centre may develop the nervous influence which is to proceed from it. In developing this influence in consequence of a stimulus conveyed to them, and in disposing of impressions so received, nervous centres manifest various peculiarities, which require to be noticed. Thus, an impression conveyed by a sensitive nerve may be *conducted* through the nervous centre which it first reaches to some other adjacent or even distant centres. For example, the stimulus afforded by the presence of food in the intestinal canal, is conveyed along the nerves distributed over the intestinal mucous membrane, to adjacent sympathetic ganglia, and usually excites merely muscular contraction of the coats of that portion of the intestine in which the food is contained. But if irritant substances are mixed with the food, the impression conveyed to the ganglia is stronger, and is then conducted through them to other adjacent ganglia, whereby larger portions of the intestinal walls are excited to contraction; or it may be further conducted to the spinal centres, and lead to the production of spasmodic contraction of the abdominal, or other muscles; or lastly, it may even be conducted to the brain, and give rise to the sensation of pain. Instead of, or even as well as, being conducted, impressions reaching nervous centres may also be either *transferred*, or *diffused*, or *reflected*. An example of the first mode of disposal is afforded in the pain occasionally felt in the knee in cases of disease of the hip-joint. The impression conveyed to the nervous centres by the sensitive nerves supplying the diseased joint, is, at such centres, transferred to the central extremities of the nerves of the knee; and thus the mind is led to refer the morbid impression to the part from which these nerves ordinarily convey impressions. An example of the *diffusion* or radiation of impressions

received at a nervous centre, is furnished in the well-known fact that continued tooth-ache is often followed by pain in the adjoining teeth, or even in all the surrounding parts of the face. The explanation of this seems to be, that the morbid impression conveyed to the nervous centre, is thence—not merely transferred, as in the last case, but diffused and radiated so as to influence the various other fibres entering the same centre—and thus to excite sensations referred by the mind to the parts from which these secondarily affected nerve-fibres proceed.

Besides being thus communicated from one sensitive fibre to others of the same kind, as in the instances last named, a morbid impression may also be transferred or *reflected* from a sensitive to one or more motor nerves, and thus involuntary muscular action may be induced. In this manner arise all those singular movements denominated *reflex*. As an example may be mentioned the contraction of the iris, consequent on the impingement of a ray of light on the sentient surface of the retina. The stimulus thus applied to the optic nerve is conveyed to the brain, and thence reflected to the central end of the third pair of cerebral nerves, along which motor impulses are transmitted to the iris, and induce its contraction. Numerous other similar examples of reflex action might be mentioned, but the above will serve as an illustration of the class ; and the several conditions which exist in it are essential in every other instance of reflected movement. These essential conditions are three : namely, first a centripetal nerve-fibre to convey an impression to the nervous centre ; secondly, a nervous centre to which this impression may be conveyed, and in which it may be reflected ; and thirdly, a motor or centrifugal nerve, on which this impression may be reflected, and by which it may be transmitted to the contracting tissue. No proper reflex movement can take place if any one of these three conditions is wanting.

There are certain peculiarities in reflex movements which require a few remarks. For example—all reflex movements are essentially involuntary ; being quite independent of the will, though admitting of a certain amount of control by a voluntary effort. This is seen in the movements of respiration, which are of the reflex kind ; they continue during sleep or coma, though in the wakeful and conscious state they may be variously modified by an effort of the will. All such movements again have an obvious purpose, designed for the welfare of the body ; as, for example, the movement of the heart, of the digestive organs ; the closure of the eyelids and pupils to exclude excess of light ; the spasmodic closure of the glottis against the ingress of foreign substances ; and others of a like character. Such movements also may be continued for any length of time without producing weariness ; this is well seen in the movements of the heart and of the respiratory muscles.

The outline which has here been offered of the functions of nervous tissue applies to the nervous system generally. There are, however, many peculiarities displayed by different parts of the nervous system in the discharge of their functions, such as those of the nerves of special sense, and of the sympathetic system; but to enter fully into these would enlarge the present article much beyond its proper limits, even if it were not foreign to its special purpose. A few words, however, must be said respecting the mode in which the nervous tissue acts—i. e., the power or force by which it is enabled instantaneously to transmit its influences from one part of the body to another; especially since this portion of the subject is treated at some length by Dr. Carpenter, in the work which has furnished the basis of the present article. As far as concerns our actual knowledge of the nature and mode of action of the nervous force, we may indeed be said to be entirely ignorant; and in this state of ignorance we are perhaps likely ever to remain. But the great similarity evidently subsisting between nervous and electric phenomena has naturally led to much speculation as to the possible identity of the two forces. Dr. Carpenter has well discussed this subject, and thus briefly expresses what is probably the best mode of viewing the subject :—

“Notwithstanding the strong *analogy* which exists between these two powers, we are *not* warranted in regarding them as *identical*; and we should probably best express their true affinity, by saying that these are so closely ‘correlated,’ that each may be the means of exciting the other.”

Thus, the nervous force is evidently capable of being excited by electricity; for if this latter force is applied to a motor nerve, contraction of the muscles supplied by it ensues; and if applied to a sensitive nerve, whether of common or ordinary sensation, the mind perceives a sensation exactly similar to that conveyed by the nerve when excited by its ordinary and natural stimulus. That the converse is also true—namely, that electricity may be excited by the nervous force—is shown in the phenomena displayed by electric fishes, the operation of whose electric organs evidently depends upon their connexion with the nervous centres, and varies in intensity according to the amount of that connexion.

Equally with electricity, we find that heat, light, motion, and chemical affinity, possess the power of exciting nervous action; while, conversely, the nervous force seems to be able to develop or modify each of the above-named forces: hence, it must be considered to be as much correlated with them as it is with the electric force, or as each of these several forces are with it and with each other.

ART. III.—GERMAN PSYCHOLOGICAL LITERATURE.*

WE have before us parts 1 and 2, vol. viii., of the 'Journal of Psychiatry,' an analysis of which we purpose laying before our readers. We are anxious, in the first instance, to direct attention to two papers, one by *Dr. G. H. Bergmann*, entitled 'Pathological Remarks, characterising the different organs of the brain and their functions;' and the other, by *Dr. W. Nasse*, upon the 'relation of the faculty of speech to the anterior lobes of the brain.'

The cases related by *Dr. Bergmann* illustrate the possibility of carrying minuteness of detail into excess, and of obscuring the truth by immersing it in irrelevant matter. The error, however, flows from a good source; namely, a desire of preserving an accurate record of every symptom noticed during life, and of every appearance observed in the examination after death. A case so completed may be referred to by all persons wishing to form upon it their own conclusions; but at the same time, when observations of importance are thrown together with remarks of no value considerable discrimination is required to separate the ore from the dross.

We give, as an example, the narration of the following case, and the record of the morbid appearances discovered upon dissection.

R., æt. 48, a corpulent man, of full habit, with permanently red complexion, dark hair and eyebrows, and with a sullen domineering look, died 1828. Two days before his death *Dr. Bergmann* was called to see him by the usual medical attendant, and he found him, at five in the afternoon, sitting upon a sofa in a state of stupefaction, vacant and silent, although he could still utter certain words. The face was blueish-red, and bloated; his large eyes fixed, staring, and devoid of soul or expression. The pulse was not quick, but full and hard; the same beat was felt in the carotids. As *Dr. Bergmann* was pressing the left carotid to investigate the nature of the beat, the patient fell down suddenly, completely insensible; the pulse ceased for a couple of minutes, the head fell back, the limbs contracted convulsively, foam issued from the mouth, and the eyes rolled upwards. *Dr. Bergmann* concludes there was no doubt but that the pressure upon the carotid artery caused this accident, by temporarily arresting so important a part of the cerebral circulation. We will not here enter upon the question as to how far pressure upon the internal jugular vein would excite these symptoms, by checking the return of a current of venous blood from a brain affected

* Allgemeine Zeitschrift für Psychiatrie unter der Redaction von Damerow, Flemining und Roller. Berlin. 1851. Achter Band, Erstes und Zweites Heft.

with apoplexy, and it is indisputable that no pressure can be made upon the one vessel in the neck without its also acting upon the other, which lies in immediate contact. The abstraction of blood afforded to the patient some relief; previously he had not been in a condition to give intelligible replies to questions, the names of persons and of things being blotted out of his memory: he called every object by the word 'thing,' and could not express himself better. Upon the following night he had two convulsive attacks, between epilepsy and apoplexy, and, sinking into a state of yet more complete insensibility, he died the following day.

The body, examined 24 hours after death, emitted an offensive odour. "The abdomen was blown up, and marked with the greenish spots of decomposition. Under the integument there was a thick layer of fat, and there were large adipose accumulations in the greater and lesser omenta, in the mesentery of the whole alimentary canal, including the vermiform process."

We are next told that the "pancreas was narrow and a little hard; the liver moderately large, but nothing in excess, somewhat paler than natural both on its external and internal surface; the gall-bladder was filled with greenish bile. The spleen was, so to say, diseased, long, narrow, soft and yielding, like a damask-plum, surrounded by fat, and united to surrounding textures."

What information are we to derive from this somewhat prosy account, except that the body of a patient, described during life as corpulent, exhibited upon examination after death considerable accumulations of fat in the usual situations?

"In the chest there was much water; the lungs were of dark blue colour but natural; there was a considerable collection of fat about the heart, which was large; the ventricles were dilated, especially the right; the muscular substance and the valves exhibited a certain amount of relaxation and softness."

The presence of fluid in the chest, and the morbid condition of the heart, are points of high interest, and yet they are dismissed without a word of allusion to the quantity of fluid in the first instance, or the nature of the degeneration of the muscular substance in the second. Much fewer words are here used than in the description of the amount of abdominal fat. But it is with the account of the morbid condition of the brain that we find greatest reason to complain.

"The skull-cap, though flat, was natural. Under the pia-mater, over both hemispheres, there was effused a thick gelatinous fluid, which in the base of the brain was of more watery consistence. The cerebrum was of the usual firmness, the cerebellum somewhat less so. The vertebral, basilar, and both carotid arteries were affected in their coats by atheromatous deposits. There was a considerable accumulation of fluid in the ventricles."

So far so good ; we can associate the symptoms under which the patient died, either with the effusions of fluid both on the exterior and in the interior of the brain, or with the excited state of the cerebral circulation preceding such effusions ; but what are we to say when told that the "acoustic and the vagus nerves were perhaps a *little softer* than natural ; that the optic nerves were remarkably small, especially in relation to the large eyeball. The trochleares nerves were thinner than usual."

Will any experienced anatomist offer an opinion upon the relative hardness and softness of the seventh or eighth pair of nerves ? or as to the normal size of the nerves of special sense ? We do not hesitate to affirm that it is absolutely impossible, and that all such remarks, pretending to an accuracy which does not exist, are positively injurious to the advance of science. From a multitude of similar remarks we extract the following :—

"The pineal body was somewhat harder than in its natural state, the surrounding vascular structure (*velum interpositum*) more luxuriant and in a state of incipient hypertrophy, so that," says Dr. Bergmann, "according to conclusions formed from my repeated observations, deadening of the mental faculties would have ensued had life been much prolonged."

Are we to believe that this serious result (*Seelen-betaubung*) is an inevitable consequence of a condition of the pineal body and *velum interpositum*, absolutely not recognisable to the generality of those who have passed their lives in dissections and *post-mortem* examinations ? A pineal body *harder than natural* ! An *hypertrophied velum interpositum* ! English anatomical acumen must be at a low ebb, for it would hesitate ere pronouncing an opinion upon such observations as these, and deducing thence such important conclusions. After a very elaborate account of the fibrous striæ and eminences in the interior of the brain, parts which, hitherto of little or no physiological interest, have received most barbaric names, we are told that "the fibrous case, which in its normal state covers the corpus striatum as a delicate veil, was, together with the *tænia semicircularis*, thickened and hardened.

"We found then," says the author, "that in this brain most of the fine structures approached perfection, some reached it. That the *tænia semicircularis* had lost, through induration, its beautiful free fibrous structure, and that the flabellum, the radiation of its fibres, had from the same cause disappeared.

"After the investigations which I have carried on in man as well as animals ; after the pathological results which, in consequence of disease of the corpora-striata and of the anterior lobes of the brain, so often manifest themselves in the form of loss of memory ; considering the direct connexion which the *tænia semicircularis* has

with the organs both of smell and of sight, the conclusion may be readily drawn that in this situation memory has, in part at least, its seat."

Among the insane there is no more common symptom of mental derangement than loss of memory ; past events are quite forgotten ; persons and place are alike not recognised, and any gleam of intelligence bears the character of a confused and distorted dream. And yet morbid changes in the corpora striata or tæniæ semicirculares are most uncommon. We refer to a series of post mortem examinations conducted by Mr. Lawrence, at Bethlem Hospital, and published in the earlier numbers of the Journal in support of this statement.

We agree with Dr. Nasse in the able article forming one subject of the present review, that, "The present views and arguments in favour of the special relations of particular parts of the brain, are not yet established upon strong proof : and that the spirited and eagerly-contested question of the localization of the mental faculties is still in so unsatisfactory a state as to give weight to the opinion entertained by many, that our practical knowledge of the physiology of the brain has not been in any way materially advanced through its means."

The greater part of Dr. Nasse's essay is devoted to the consideration of the phrenological views of Bouillaud, who ascribed to the anterior lobes the seat of the principal legislator of speech (*den Sitz des principe législateur de la parole*), and who believes that in these organs are located, not only the recollection of words, but also the power to articulate them, or to regulate the muscular movements by which speech is formed.

The proofs brought forward in support of this statement may be divided into positive and negative. The first are instances in which disturbance of the power of speech co-existed with a morbid condition of the anterior cerebral lobes. The second comprise those cases in which, with unimpaired speech, there has been found a morbid condition of other parts than the anterior lobes. The cases brought forward both by Bouillaud and by Belhomme in support of this hypothesis, derived in part from personal experience, but chiefly from the observations of others, amount to about 200 ; but, as Dr. Nasse observes, they are inconclusive as to the important deductions formed by the French physiologist. There is scarcely a sudden and serious lesion of the brain in any part which is not followed by impairment of articulation ; and the same phenomenon has been noticed when, with disease of other parts of the brain, the anterior lobes have been quite healthy.

To the striking examples brought forward by Andral and Cruveilhier, may be added the instances of loss of speech from disease of the middle lobe by Abercrombie ; of the posterior lobe, by Rochoux ; of

the corpus striatum, by Serres ; of the optic thalamus, by Bright ; of the corpus callosum, by Abercrombie ; of the cerebellum byALLEMAND. Cruveilhier has recorded two cases, showing that the power of speech may be retained with extensive disease of the anterior lobes. In the first, the patient was a weak-minded unmarried female, aged fifty ; the anterior lobes had entirely disappeared, and the space was occupied by a cyst. In the second, both anterior lobes were atrophied and softened by a large cancerous growth. Rochoux saw an instance in which the patient retained the power of utterance with effusion of blood into both anterior lobes ; and Velpeau imparted to the Academy of Medicine in Paris, 1843, the case of a very talkative barber in whom there was discovered, after death, a scirrhus growth springing from the anterior part and inner surface of the skull, occupying the whole of the place of the right lobe, and a considerable portion of that of the left. In the *Gazette Méd.*, of Paris, Dr. Nasse met with two cases of perforation and destruction of the anterior lobes by bullets, combined with unimpaired speech ; and Jobert relates the case of a man who, with fracture of the frontal bone, and destruction of the anterior lobes, fell into a state of delirium, and spoke and sang most vehemently.

Dr. Nasse's Essay is full of information, and may be most advantageously perused by those who seek, in the present state of knowledge, to localise the cerebral functions. We now proceed to extract

AN ACCOUNT OF THE ASYLUM FOR LUNATICS AT ERLANGEN,
BY DR. SOLBRIG.

Professor Dr. Solbrig has given an interesting account of this asylum in the "*Allgemeine Zeitschrift für Psychiatrie*," vol. 8. This is a provincial institution, acknowledged to rank the first in Bavaria, and is established for the reception both of those cases which may be benefited by treatment, and of those which are incurable.

The directing physician is, in its full and extended sense, the director of the institution. There are no conflicting authorities fighting a petty battle for precedence ; but there is unity of will—unity and precision in the carrying out of whatever is necessary for the good of the institution, and the welfare of its inmates.

As many of the asylums in England are officered under the mark, it may be as well to give the list of functionaries considered sufficient at Erlangen to preside over 150—160 patients. There is the director ; a steward ; one assistant physician ; a head keeper in both male and female department ; a book-keeper ; an accountant ; a cook and assistants ; a washing establishment ; a gardener ; two porters ; a messenger ; housemaid ; fourteen keepers for the insane men, and eleven for the insane women. Beside these, there are private attendants for

special cases; a catholic and a protestant clergyman; a tutor and music-master; a catholic and a protestant organist; and also a clinique of psychiatry. There is free access to the establishment; nothing requires concealment, as the cases are regarded instances of disease which may befall any one; and which, with proper appliances and scientific treatment, admit mostly of alleviation, and sometimes even of cure. Have we in England advanced the knowledge of this interesting and important subject by shutting the doors of our asylums against the public gaze, and committing the inmates to a prison? We fear not. Until quite lately, when the dawn of enlightenment first broke through the mist which overshadowed the dwellings of the insane, to whom was this important trust committed? Not to physicians eminent for their high scientific acquirements and moral qualifications, but to persons who, without any claim to public confidence; without any wish or aspiration to advance their science, vegetated upon the proceeds of a huge lodging-house.

In the institution at Erlangen there is found a permanently greater proportion of males as compared with females in the ratio of two to one. There are always twice as many men as women; and the conclusion which Dr. Solbrig draws from this is, not that insanity is more common in the one class, but that females are more readily and easily taken care of than males in their own homes or in private asylums. He points out how difficult it is to arrive at satisfactory statistical conclusions from circumstances such as this.

In the department of incurables, the chief cases are those of fatuity (blödsinn), and partial crazedness (partielle verrücktheit), but there were seen very few cases of general paralysis. In the department for the treatment of the curables (heilanstalt) the predominant primary forms were mania (tobsucht) and melancholy. It was interesting to observe how politics took a place among the psychical causes of insanity, especially as illustrated by the events of the past year, 1850.

Many a victim was sent from this cause to the asylum at Erlangen, the manifestations of derangement assuming a very striking variety.

"Here heard we," says the author, "the speeches of the raging Jacobin; here saw we the fear of those threatened with loss of life and of property: we witnessed the arrogance of the violent democrat, who threatened every moment to take our institution by storm, and who lived to see more than once the declaration of a state of siege as the ordinance of a military commission. All in harmony with existing events. The last affected were mild doctrinists, who had dreamed themselves into the legislature, and who brought forward a whole code of laws, which were original enough, though perhaps rather too copious to admit of analysis here."

From the list of *post-mortem* examinations, amounting to forty-four

inspections, we learn that about one-third died of tuberculosis of the lungs.

In speaking of treatment, Dr. Solbrig mentions the high importance of placing the patient under circumstances where every source of excitement and irritation is removed. It cannot be too often repeated how rarely in mania there exists a state of congestion of the vessels of the brain, requiring active depletion; or rather, it might be said, in how great a proportion of cases is it found that there is manifested a state of irritation of the cerebro-spinal centre, for the cure of which loss of blood is a fruitless measure, and under certain circumstances of great nervous exhaustion apt to be followed by even a fatal result.

Against the proper and healthy exercise of the psychical functions, there is no greater enemy than hunger, and an empty lymphatic system. Excess of nutrition is not a common cause of insanity; hence depletions of any kind must be demanded only in exceptional cases.

Experiments with the administration of opium seem to have been carried out to a considerable extent, but not with so happy a result as in some cases by Engelken. In doses of a quarter to half a grain, it did not succeed in changing the disposition, and improving the spirits of those affected with melancholy.

As regards larger doses, Dr. Solbrig had no fear, on cases of excitement affecting non-plethoric persons, of giving four, six, or eight grains of pure opium at a time, twice or thrice in twenty-four hours, and to continue the practice for three consecutive days.

"We may thus," he says, "procure for the patient sleep, and momentary repose, which is always worth something; but in one case only did I witness a striking beneficial result. It was that of a maniacal countryman, who for fourteen days before his admission had been suffering from the most furious excitement and impulse to destroy. A dose of six grains of opium sent him into a profound sleep, attended by profuse perspiration. Upon waking he was perfectly quiet, and soon passed into convalescence."

No good results ensue from prolonging these large doses over a space beyond three days; perhaps such practice might render probable the chance of collapse. Dr. Solbrig prefers as an opiate the ext. cannab. indic. (hachisch), especially in periodical mania, where it is complicated with convulsive and chorea-like movements, or with inveterate epilepsy. It is given in doses of one to four grains of the extract two or three times in the twenty-four hours.

In powerful subjects the prolonged use of the warm bath from three to six hours is recommended. This may be combined with the simultaneous flow of cold water over the head by directing a fine stream to pass upon a broad linen compress.

In females where symptoms of nymphomania are present, the daily use of the hip-bath for two hours is stated to be useful.

No satisfactory result has followed the administration of sulphuric ether, or of chloroform. The employment of ether seems to be contra-indicated, inasmuch as it favours beyond all doubt an hyperæmic condition of the brain, far more than is desirable. In mania, it has no effect. After the immediate influence of the inhalation has passed away, perhaps in two or three minutes, the symptoms recur with their former severity.

Upon the use of chloroform, Dr. Solbrig speaks as one whose opinions as to its efficacy in the treatment of some cases, are not ultimately formed. He uses it at present chiefly to calm violent paroxysms, or to enable patients to undergo surgical operations without pain.

"The greatest triumph was in a case where a patient obstinately refused to have his *hair cut*. There it afforded radical assistance. It is certainly the mildest means of coercion."

Dr. Solbrig does not approve of the total absence of bodily restraint, as carried to its fullest extent in the English institutions. He thinks that there is but little to boast of, if the practice is followed by injuries inflicted by excited patients on themselves, their fellow sufferers, or on their keepers. Perhaps we are not quite wise in abandoning in every case such restraint as may prevent attempts at self-destruction, for it is impossible, unless the number of attendants be very large, that a sufficiently strict guard should be kept upon all patients during every hour of the day. Several cases have come before our notice, in which very serious accidents have occurred in institutions, where the non-restraint system existed in full force, and among other evils is that of the keepers feeling it sometimes necessary to employ their bodily strength rather freely in self-defence. We have met with fractures of the skull, of fractures of the sternum, and of other bones, in patients reported to have died suddenly. Such injuries have doubtless been inflicted during some severe struggle, when the patient, determined upon a mad attempt, has threatened violence to all who would venture to thwart him. We have reason, however, to be thankful to those who have pioneered the way to the non-restraint system; it is gradually becoming more and more extended; the comfort and welfare of the sufferers receive daily more and more attention; the calamity is no longer regarded as a family stain, demanding the immolation of one of its members.

May we not hope that ere long society will adopt general means of yet further restricting the evil. The disease attacks the weak rather than the strong; the feeble constitution threatened with tuberculosis rather than the robust and plethoric. Intermarriages within too close

a degree are sure to produce a large proportion of inferiorly developed minds. Such persons may, it is true, pass through life in the respectable performance of its ordinary duties ; but should at any period excitement ensue, caused by politics, religious enthusiasm, or excess of business, the brain is found incapable of reacting against the stimulus ; and it loses its balance, which is never subsequently regained.

An article on "Court Fools" is worthy of analysis. The history of court fools cannot be passed over in a complete history of Psychiatry, because among them there were found at all times not only professional fools and buffoons, but also real madmen and imbeciles : to conduct the inquiry here is interesting as regards the manners of the age ; but it is also of importance for practical medicine ; for it is worth knowing how, in different periods, poor mentally deranged beings were treated. It is also remarkable, that in Eastern countries, their number always was, and is still, less than in Western countries, and that in the former the insane are honoured and well cared for as specially favoured by God, while in the latter, even in our days, they have been barbarously treated ; mental derangement and sin being considered alike. Here history gives the best and most beautiful practical lesson.

The "History of Court Fools, by H. F. Flögel, Professor in the Ritter Academie, at Liegnitz," is the subject of the following essay.

The history of fools and of buffoons can be traced back to the dark days of antiquity ; princes and commoners, high and low, delighted in them ; the part was played by pedantic men of talent, rather than by real madmen, and there were towns and whole districts which had the unenviable repute of being the natural soil of fools. Thus the town of Troyes enjoyed the peculiar privilege of providing court fools for the kings of France. In Troyes, is still preserved a letter from Charles V. of France, in which he announces the death of his fool, and requires the Burgomaster of Troyes to send him another, according to ancient custom. The German Emperor, Charles V., son of the imbecile Jane of Spain, said of the Germans, that they did not seem to be clever, and really were not so.

The Emperor Rudolf II. could not bear a jester in his presence ; probably because he was much inclined to melancholy.

Richardson brings the origin of fools from Eastern countries, on account of the particular esteem in which the deranged were there held. The sayings of fools were revered as inspirations, and it was from this cause that they were allowed the freedom of carrying their satires so far. Owing to this circumstance, cunning and designing persons took the opportunity of "playing the fool,"—they could speak out the truth without fear of punishment.

Those who translate the word "morio" by court fool, make a great mistake, for morio meant by the Romans, a man who was deformed. The morio had a humped back, bandied legs, a great shapeless head, a long pendulous nose, or remarkable features; in a word, the morio (morris dancer) was a mis-shaped being; and probably besides, either weak minded or an absolute fool. The morio was so constituted, both bodily and mentally, as to excite laughter, and was on that account taken advantage of and misused as a fool. The tasteless pleasure taken by the degenerated Romans in such unfortunates went so far, that there was held in Rome an express market for fools—*Forum Morionum*—at which the dealers publicly exposed for sale the morios, whom they had gathered from all parts of the world, and obtained for them large prices. A thoroughly deformed morio often fetched a thousand florins. Martial viii. 13; "Morio dictus erat; viginti millibus emi." Further, "Plutarchus de Curiositate." Pliny and Martial both say that the morions were stupid and imbecile. Plinius, lib. ix. ep. 17; Martial, xiv. 210; Martial, viii. 13; xii. 95.

Court fools are mentioned in the East as early as the eighth century. Such a being is found to have existed at the court of King Attila. At the court of the Khalifah Harun-al-Raschid there lived a man whom the Mahomedans used to regard as one inspired or insane. The Sultans of Turkey have, or used to have, such persons about their court, whereof there can be seen a full account in a work by Nicholas Höniger—"Die Hofhaltung der türkischen Kaiser," Bazel, 1596, tom i., s. 39.

The jester (*Lustigmacher*) at the courts of the German Princes, does not seem at all times to have been able to bear with sufficient patience the tricks which were so often played upon him; probably because the difference between a madman and a mountebank was not sufficiently well understood. As the Duke Lewis of Bavaria, September 16, 1231, was taking a walk after dinner to Kehlheim, over the Danube bridge, he provoked his court fool, Stich or Stichius, to such a degree, that the man became mad and murdered the Duke with a bread-knife. The murderer was destroyed on the spot by the attendants. (*Aventinus Annal. Bojor. lib. vii., c. 3., p. 634, Ex. Editione Gundlingii*). Some relate this murder in a different way; but *Aventinus's* view seems the simplest and the most probable. The Baron (*Freiherr*) Jacob Paul Von Gundling acted the part of fool at the court of King Frederick William I., the name Gundling being given to him from the unlimited inclination forward of the trunk, which gave a creeping aspect to his gait. Thus came his stiff comic look, which he himself produced, to render himself an object of mirth. He could never be satisfied in drinking wine, and his constant complaint was thirst. That Gundling was a clever scholar and contributed something to history is well

known. A psychological delineation of this extraordinary man would be of interest both in theory and practice. Gundling died 1731; at the examination after death there was found a perforating ulcer of the stomach.

A certain Kornemann from Halberstadt appeared about the time of Gundling; he called himself Cron-Kornemann, was completely deranged, but nevertheless enjoyed himself. Subsequently being in want of money, he cut his throat, but the wound was not fatal; he recovered, and was put into confinement.

The last fool that we shall mention here was one at Schweidnitz. Boteslaus II., the Little, Duke of Schweidnitz, died 1368, and with him ended that line of the house, his son having been murdered by a fool. In an old manuscript we read that "Duke Boteslaus and his wife Agnes had a son, whom the fool, before the father's death, killed with a tile at the castle of Bolkenhayn, in consequence of the Prince having vexed him and excited his anger. The fool was beheaded."

We see that in the thirteenth and fourteenth centuries the doctrine of irresponsibility of action was not in vogue; this was certainly an omission in the law. In the present day we are inclined to pronounce the malefactor "irresponsible" upon very insufficient grounds; not, forsooth, as a manifestation of Christian love, but that advocates may show their sharpness and learning, and that writers may glorify themselves in the journals. The false humanity of the present age may bring Corsican vengeance into the land. As regards France, where matters are usually driven into extravagance, it is remarked that court fools were formally attached to the court as "*fous en titre d'office*."

In the American Journal of Insanity, there is related a case of "pyromania," which bears somewhat upon the preceding remarks. A youth, of fifteen, who had abstracted money from several letters, set fire to some sheds, having been instigated to the act by another. The reporter of this case makes the concluding remark, that most "pyromaniacs" observed by him had manifested other insane and dangerous tendencies; they had stolen or murdered; and he concludes that the passion to set fire to objects cannot be regarded as so distinct a form of insanity as to require a special name. If such a young rogue were to escape punishment on the grounds of insanity, and the decision were to be taken as a precedent, it would be wise for us in all consistency to shut up the courts of justice, and to employ the judge's salaries in enlarging lunatic asylums over the whole land.

ART. IV.—THE PATHOLOGY OF SLEEP.*

EVERY abnormal function or condition, whether it be of quality or quantity, is, of course, a pathological condition, as it is not health. This applies equally to psychical and physical states.

If we cannot logically term a total absence of a function a *disease* of that function, but rather of the organ which fulfils it, we may yet be justified in applying the term "Pathology of Sleep" not only to those prototypes of the somnolent state which indicate a deranged or morbid condition of the mental organ, but also to that negative state which we term insomnia or sleeplessness, a derangement or disorder of quantity, as the other states are of quality; so far the definition of the learned author of the "Medical Dictionary" is correct—"a non-recurrence or interruption of sleep."

Slumber, or healthy sleep, is a state of perfect intellectual abeyance, a fallow of the mind: in the words of Dugald Stewart, "A total suspension of volition as regards its influence over mental and corporeal faculties." It is thus a blessing with which the Creator has endowed the brain, which, during this unconscious repose, regains the power or energy of which the exertion of its natural faculty had deprived it: a *recollecting*, as Liebig would imply, of that living tissue which had been wasted or exhausted by exertion. Perfect, or sound sleep, then, is a healthy state. Hence we decidedly object to the assertion of Dr. Wilson Philip, that sleep indicates the imperfection of our nature.

The morbid state of weariness does in itself indicate imperfection; but sleep, its remedy, displays rather the perfection of our being, ministering so far to our happiness that we thus enhance our abstract fruition by the force of contrast.

The term sleep has been so often erroneously applied to its affinities or analogies, as to have imparted much discrepancy to the pages of psychology. Its physiology, also, has been often sadly perverted: M'Nish, for instance, terms it "an intermediate state between life and death."

Still there is no wonder that in contemplating this deep sleep, even "tired nature's sweet restorer" should, in darker ages, have been deemed the type of death—"mortis imago et simulacrum;" or that the Lacedemonians were wont to place the statues of Mors and Somnus together. No wonder that the poet should have made the first deep sleeper thus express himself—

* Sleeplessness. Article Sleep. Dict. Prac. Med. By Dr. Copland. 1851.

“ There gentle sleep
First found me, and with soft oppression seized
My drowned sense, untroubled, though I thought
I then was passing to my former state,
Insensible, and forthwith to dissolve.”

The good Sir Thomas Brown was so deeply impressed with this likeness that “ he did not dare to trust it without his prayers.”

Another mind, however, equally pious, thus welcomes its visitation—

*“ Somne levis, quanquam certissima Mortis imago,
Consortem cupio te tamen esse tori.”*

The more our mental repose, sleep, resembles the slumber of healthy children—we may indeed say the sleep of plants—an exhaustion of consciousness—the more will be its salutary refreshing of the brain, “ a repair of waste, a due repose for past action.”*

Now, whether the brain be exhausted by labour, excitement, or disease, sleep is the only mental prophylaxis of mental decadence, the only refresher of the spirit. It is, indeed, not only a potent remedy, but a faithful harbinger in disease. In fever, and other acute disorders characterized by insomnium, our first ray of hope is the coming on of a quiet sleep. In delirium tremens, to use the words of the late Dr. Mackintosh, of Edinburgh, it is “ sleep or death.”

In the physical indulgences of advanced life, sleep must be constantly ensured, or apoplexy will be a frequent consequence. Sleep is, therefore, a *remedy* of the deepest value, and although so much resembling death, is, indeed, its antithesis and prophylaxis. We may yet, thus far, admit something of an analogy between them. As we may say that we are always dying or approaching towards death, from the moment that we begin to live, so we are always *going* towards sleep directly after we wake and begin to exert our intellectual faculties.

The contrast of sleep is the state of waking ; a condition not, of course, essentially morbid within certain limits, as it is the natural and active state of mind. Insomnium is only to be considered in a pathological sense, when, in consequence of wear of mind or body, there is a *necessity*, a *disposition*, to sleep, and yet it cannot be wooed to the pillow. A state of pervigilium, or watching, cannot with impunity be extended beyond eighteen or twenty hours, except in the mindless, thoughtless state of mania. If the mind, moreover, has been in energetic action, the necessity for repose becomes the greater ; but if it be slothful, as that of the idiot, there is less need of sleep : the melancholic has lived forty days and nights without sleep. But when the power of sleeping is *often* suspended or impeded, insomnium becomes a very perilous disorder. It were not, indeed, too bold to affirm, that beyond this period, the state of waking or vigil is essentially that of derange-

* Copland.

ment. It may be at first so slight as to be scarcely if at all perceptible, as we may have so slight a bodily disorder that we are not aware of it: still the light disorder shall soon lead to organic disease, as protracted pervigilium may lead to confirmed insanity.

Now, if there be a sudden onset or stealthy approach of eccentricity (not that original or habitual eccentricity which constitutes character), combined with protracted pervigilium, our suspicion as to the health of the mind should instantly be aroused. These are most important moments; active and watchful management is imperative. For, as about ninety per cent. of those treated within the first three or four months recover, and as the prospect of cure decreases in a direct proportion as the months or years increase, so insomnium, as a primal symptom of insanity, is one of deep interest, and we must think the learned author of the "Dictionary" remiss in not having made a special allusion to the point. It is to this end, chiefly, that we have made the subject of sleep prominent in some of our later pages. This protracted insomnium is the result of an immediate physical cause which thus becomes of moment, because acting on important tissues, even as an ulcer on the palpebræ would, on healing, leave the eyelid useful as before, but if occurring on the cornea would impair or destroy the sense of vision. When, therefore, erethysm affects a brain, a thought, born of this unhealthy organ, constantly, incessantly, acting on its tissue like a rolling snow-ball, increases the degree of oppression, and thus resists remedy. This is the secret which explains the apparent paradox that sleeplessness is both a cause and effect of insanity, a sort of self-multiplication from one poisoned germ of thought.

Undue sleeplessness is at first a negative disorder, as it is the privative of sleep, whether we consider it a passive state, or, with Blumenbach and Cabanis, a real *function*. But fresh and unhealthy actions are directly set up, and it soon becomes a positive disorder.

Now, when we have defined true sleep, and reflect on its psychical essence of manifestations, we must, of course, include in the term all its prototypes, inasmuch as each, being abnormal, or in excess, is an indication of the disturbance of the healthy condition of the mind. Hippocrates thus refers to this excess both of sleep and its privative—

Υπνος αγρυπνιη ἀμφοτέρω του μετρίου
Μαλλον γινόμενα κακον.

Reverie is the lightest form, an abstraction or intellectual concentration, and is often the half-sleep, or dozing time, following perfect insomnium. It is, indeed, far more waking than sleeping, and yet the wondrous stories are common as household words, how Mackenzie parodied, and Voltaire and La Fontaine versified, and Condorcet solved abstruse problems, and Haycock preached eloquent sermons, and above

all, Tartini composed his exquisite "Sonata di Diavolo," and all this in sleep. But sleep it is not, any more than is that state which is darkened or brightened by a dream, or in which somnambulism plays its pranks, and in which we do not stop our ideas to reflect on them, as in waking reverie. Incubus is next, as it is marked by a temporary loss of power, yet volition (or will) is present. Somnambulism is the complete converse of this, as there is an obedience of action to volition, and yet the senses are passive. In the dream, while the senses are uninfluenced, volition is not obeyed. If we are tickled, we draw up the foot, but do not often wake; so, indeed, we endeavour, unconsciously, to relieve *malaise* of congestion by altering our position, yet then we may not wake. We say unconsciously, for sensation does not cease; if it did, we should cease to breathe, for the sensitive principle affects the lungs in sleep. The deep sleep of *carus*, catalepsy, trance, coma, apoplexy, stupor, syncope, asphyxia, are in themselves real disorder, the senselessness being but one symptom of the malady.

Allied to these is the *apparently* deep sleep of a condemned creature before execution—the effect of a *stunned* or paralysed brain. At these varied states we merely glance *en passant*, our chief subject being that form of stubborn wakefulness resulting from morbid activity or continued exertion of brain, which does not yield to the desire for sleep.

Now were it not for the working of mind in the brain, sleep would inevitably ensue, as a physical law, whenever the systemic power was exhausted or reduced to a certain point, even as the plant will sleep on the withdrawal of its stimulus. But if a thought on an interesting subject arises in the mind, the power of multiplying its kind, which is the characteristic of thinking, will not only keep the mind wide awake, but, from sympathy and the force of volition, will exert the same influence over the body, inducing restlessness or a frequent change of position.

If any long-continued strain on the imagination, or intense thought has been indulged in, then this insomnia is thereby increased, for the time of instinctive repose has passed, and disorder has set in. The associations of ideas do not cease with the voluntary effort of attention, but yet continue to play, just as a glare of light intently gazed upon will still be visible though we shut our eyes.

The poor king bewailed the vigil of his crowned head, and envied the mental fallow and slumber of the shipboy on the mast.

"The less men are raised above animal life," writes Southey, "the sounder the sleep is, and the more it seems to be an act of volition; with them, when they close their eyes, there is nothing to keep them waking."

It is vain then for us to try to sleep in this state, for the chain of thought cannot be broken.

" My slumbers, if I slumber, are not sleep,
But a continuance of enduring thought,
Which then I can resist not."

Such was the penalty of Paganini's genius. He said, himself, that he seldom knew what sleep was, for his passion for music was an all-absorbing spell.

Boerhaave also has recorded his own case of insomnia. He had been intently thinking from morn till night on a very deep subject: the consequent insomnia lasted six weeks, during which period he scarcely closed his eyes. This was attended by a state of nervous apathy, until pain indicated a return of sensibility.

Viota was a parallel, (as we learn from Zimmerman,) who, in his paroxysms of mathematical abstraction, often kept awake and ate nothing for three days and nights.

Scipio, during the siege of Carthage, did not sleep for six days and nights. We are informed by Mr. Lay, that the aborigines of China, the Meaou-tsze, are totally unmindful of sleep.

This state then is one of temporary derangement; if often or long indulged in, permanent delirium or insanity may ensue. The brain is intently occupied by its own morbid ideas, and external impression is either a cypher or a chaos. Such the delirium of Manfred.

" In my heart there is a vigil, and these eyes
But close to look within."

The peril to mind or life depends on the degree or duration of the cause. The Dauphin was thus murdered by the constant induction of insomnia by his tormentor. Even Damien said the greatest torment he ever endured, was the want of sleep thus inflicted.

We must not, however, measure this abstractedly: the comparative impunity with which intense thought and insomnia are borne by some minds is very surprising, as in the instance of Alfred, Napoleon, Frederick, John Hunter, Pichegru, Wellington.

These great men were also very easily roused, which Wilson Philip says is characteristic of the most healthy slumber.

We have hinted that the passive mind will bear insomnia with impunity. Good cites the case of a maniac who slumbered very lightly merely a quarter of an hour in the day, and yet reached his 73rd year in perfect bodily health. We must be cautious, therefore, not *always* to deem insomnia a symptom of fresh disease, or even likely to induce it.

The effects of insomnia are constantly written on the body. Anthony was one of the sleek-headed men, and "such as sleep o' nights." Cassius, whose restless thoughts kept him awake, had a lean and hungry look. The finale of this indisposition sooner or later may be

anticipated. The hot palm, the parched lip, the glaring eye, the pallid cheek, the languid muscle, will alike characterize the midnight watcher and the midnight debauchee,—the latter being, of course, easily recognised by tremor of the hands, the bloated visage, and the moral degradation.

There may, however, be *partial* insomnia; not that alluded to in the Article, which is merely a *lighter form*. Certain faculties of the mind (our late friend Wigan would say one of the brains) may fall asleep while others wake, as they often seem to do progressively and gradually: of this we have proofs in the illusions, incongruity, indeed monomania of a dream. On sudden waking, too, there is often an incongruity of thoughts, as if there was a *series* of wakings, until, the whole intellect being restored, the jumble is arranged. Thus there may be a fallow of some faculties while others work, and so the mind is preserved: if *all*, however, are kept on the stretch, sooner or later varied degrees of derangement will ensue—

“Some perishing of study,
And some insanity.”

The imaginative brain is the fatal gift, the “*don du ciel*,” of that *irritable genus*, so closely allied to madness. That which is the fine frenzy, or the dream, in a sound brain, will be, in one soft, sensitive, or diseased, the delirium of insanity. Dr. Copland refers to cases of this insomnia ending fatally: of a dignitary of the church who died apoplectic: of a physician who became insane: of a gentleman who was attacked by phrenitis after protracted pervigilium; and we might cite many others.

Insomnia is, therefore, a kind of *νσρεπον πρσρεπον*, the cause and consequence of insanity. In one case, it saps the intellect and makes it mad: in the other, the mad mind not being exhausted by active thought, has no immediate need of sleep. This constitutes the difference between active and passive insomnia, the wakefulness of the *thoughtful*, and the wakefulness of the *thoughtless*.

This erethism of the mind is often seen in nervous child-bed women, lapsing into insanity. It is either medullary or membranous irritation, or subacute inflammation, yet often subsiding on antiphlogistic treatment; but too frequently, in a delicate and self-tormenting tissue, the phantom, like that of Frankenstein, rises up and destroys its maker.

The insomnia of incipient insanity is not essentially a melancholy state, not marked by a want of or longing for sleep: it is often revelled in, and indulged by the cheromaniac. This is the more perilous form, inasmuch as, like that of the vices of excess, its early path is strewn with flowers. The system seems satisfied with the very lightest repose: like Antæus, it is but to touch the couch, and the slumberer at once rises

refreshed, starting up in a moment, when we think him in a fair way for sound slumber.

We can, however, trace its stealthy march, from simple erethysm to confirmed mania.

At the onset, it is marked by eccentric and peculiar *habits*, constantly repeated ; such as a picking of the fingers, biting of the nails, a favourite route or style of progression. A young officer, who displayed chero-mania in excess, was constantly walking round and round a table in the drawing-room, and picking his fingers almost to the sound of his steps. At other times the patient will dwell for whole pages on the same subject, a little varied, perhaps ; as if a phantom were always before him ; just as the remorseful or perturbed mind will brood over and ring the changes on one idea. This state is evidently not always painful. An insidious or placid smile plays over the countenance : if requested to sit or repose, there is no wish or acquiescence to do so,—the action seems a safety valve to the irritability, deriving indeed from the brain, or leaving it at rest, or as if there was an instinctive aim to procure sleep by weariness. We know that the brain must be at rest in our sleep : thus, we often slumber in the morning after a restless night and an accumulation of sorrows : the brain becomes quiescent, especially if some monotonous morning sound diverts for a minute the previously brooding thoughts.

This state is marked by *sudden* impulses. A patient will rise abruptly after an hour's repose, and resolve on the most absurd and untimely actions and pursuits—a condition too often disregarded as a mere eccentricity. He should, however, be closely watched, especially if insanity be hereditary in the family.

The dawn, or first impulse of passionate love, is a state of chero-mania : the *couleur de rose*, which it flings over existence is to a certain degree constantly illusive. The lover indulges in his vigil as his chief happiness : the scene, however, if long protracted, changes. Old Burton is full of quaint allusions to the insomnium of love. Chariclea, when she was enamoured of Theogines, “lay much awake and was lean upon a sudden.” Euryalus writes to Lucretia, “Tu mihi et somni et cibi usum abstulisti.” Dido was not exempt : “At non infelix anima Phenissa, nec unquam solvitur insomnos,” &c., &c.

Unconsummated love then, becomes a disease, and its endurance may well be called a passion, and the cavalier servente of Italy, Patito.

As the poets of all ages have alluded to insomnium as a prominent sign of love sickness, so has the painter displayed the effects of sleeplessness and anorexia in his enamoured youth.

In this incipient stage of insanity, the most strange perversions of moral sentiment, feelings, and expressions are observed,—one of the

most prominent being a marked and intense aversion to previously beloved objects. An inversion of thought seems to come on, somewhat as we see in the *extremes* of religious mania, the unitarian becoming a rigid catholic, and so forth. Some sense or consciousness of former error or folly occurs, and then they desire *as far as possible* to get clear of the stigma. Monomania cannot reason *moderately*: mole-hills are mountains, and soon follows on real hyperæsthesia of the mind.

The pathology of sleep is a deep study: that of insomnia, the privative of slumber, with its consequences and prototypes, must be equally hypothetical. When, especially, we are alluding to the moral and metaphysical causes, we must proceed entirely without leading strings; we have no *demonstration* to prove or illustrate our conclusions. The hearts of others are prone to conceal the truth, and, if we reason or deduce from our own case or state, it is clear that we do so with a perverted judgment. The deep sources, the exciting causes of sleeplessness, may often be sought in the dark recesses of a sorrowing or vicious brain, as well as in the intellectual, though, perchance, not less perilous labour of the moral virtuous mind. In either case the *texture* of the brain, its power of resisting or enduring mental labour, will constitute an important point; for we believe the cerebral is more concerned than the spinal system in the physiology of sleep. The excito-motory system must be awake, for we draw up our leg if the foot be tickled, but the memory retains no cognizance of it. If it so chance that extreme temptation has subdued to evil courses a mind, whose normal constitution was virtuous and good, the pang of remorse may be excited by a peccadillo,—the sensitive spirit broods over its delinquency, and the climax may be fatal. If the child of genius possess not a brain of firm and energetic texture, intellectual labour will not be endured without a morbid change, the prominent symptom of which will be insomnia, often lapsing into a protracted phantasy or delirium, which, accumulating in its course, will end often in disorganization of the encephalon.

The proximate cause of sleep has been ever a *questio vexata*. Depressed nervous energy, exhausted irritability, congestion in the cerebral sinuses, afflux of blood into the pia mater, its reflex towards the heart, deposition of fresh matter in the brain, cerebral collapse, deficiency of animal spirits, *vapor quidem benignus*;—these, and many other hypotheses, may be merely convertible terms, and they explain nothing.

That the circulation, quoad *quantity*, is influenced during sleep, we have had even ocular proof: the woman of Montpellier, whose case is recorded by Caldwell, had lost part of her skull, the brain and its membranes lying bare. When she was in deep or sound sleep, the brain lay

in the skull almost motionless ; when she was dreaming it became elevated ; and when her dreams (which she related on awaking) were vivid or interesting, the brain was protruded through the cranial aperture. Blumenbach also witnessed a sinking of the brain during sleep, and a swelling with blood when the patient awoke.

The approach of sleep is marked by those phenomena which tend to diminish the action of the heart, and consequently of the circulation to the brain, and of all functions associated with the circulation.

Then as to *quality* : the varied phenomena of mind are constantly dependent on the crasis of the blood. The unhealthy state of the liver and other organs will indirectly affect the general circulation ; every part of the system, of course, partaking of its influence, and every function being more or less deranged. The "influence of black blood on the brain" was made an especial subject in the "Philosophy of Mystery," several years ago, by Mr. Dendy. Dr. Binns has since referred to the point in his work on sleep. The subject, however, was fully discussed in the former work, and unacknowledged in the latter. When the normal or vicarious depurations of the system are interrupted or in abeyance, the brain will soon suffer, and its vessels assume a diseased action. Urea, carbon, or other poisons, will speedily show their influence on the brain.

We may glance, too, at the effect of artificial contamination. This is the record of Dionis, on referring to the first introduction of transfusion of brute blood into human veins :—" *La fin funeste de ces malheureuses victimes de la nouveauté, détruisit en un jour les hautes idées qu'ils avoient conçues; ils devinrent foux, furieux, et moururent ensuite.*"

Without asserting, then, that there is any specific vascular action, the crasis of the blood is a most important pathological point in reference to our subject. It must be evident to all who reflect on the rapidity with which psychical changes advance or recede. We may adduce also indirect evidence of unhealthy blood, in the odour and untactuous state of the skin in the sleepless idiot and lunatic. The excretion may be a sort of safety valve to the system or the brain, and indeed we may almost calculate on the degree of derangement from its excess.

The immediate effect of mental emotion of which we are conscious is on the heart. One prominent sign of cardiac derangement is insomnia, from the intimate sympathy, the direct intercommunication, indeed, of the heart and brain. There is no newly excited thought without an immediate impulse of the heart, so slight or transient perhaps, as not to be noticed. A sound, novel or unusual, will tend to keep the mind awake ; but if this sound be oft repeated, so as to become familiar to the ear, then it does not *excite* the heart and brain,

but rather *tends to sleep*: the secret, probably, of that mental repose and slumber amidst the loudest and most discordant sounds. Some sleep, indeed, seems to be produced by noise and excitement, but the terms are not convertible: monotonous sound is *not* excitement, but a *sedative*. Thus we sleep on a coach during the monotony of its rumbling and its motion: if these suddenly cease, we awake. But let the stoppage be protracted and permanent, that is, monotonous, we still sleep. The bellringer of Notre Dame found his lullaby in the loud ticking of the clock.

Now, if we may not consider the brain as a gland, secreting a thought or notion, at least it is the organ through which that thought is manifested. The idea, then, of an *action* in the brain is as clear as that of an action or function in a secreting gland, and we reason on its extreme derangements, such as insomnium or somnolency, as on enuresis or on jaundice. And this action obeys the laws of organic life; if thought be in excess, the brain is exhausted, and hence disorder, disease, disorganization.

The immediate rush of scarlet blood to the brain is consequent on cardiac excitement: the first effect of this *determination* will be starting, agitation, exaltation of sense, especially hearing. Insomnium is the natural result of this *arterial* plethora or hyperæmia of the *systemic* heart.

Wardrop observes that "it is one of the most distressing symptoms which often accompany a disordered heart." And, again, "Those afflicted with disturbance of the heart suffer various imperfections of sleep. When in a profound sleep they sometimes start up in bed, completely awake, and are obliged to remain in the erect position in order to relieve a sense of impending dissolution. They are also subject to frightful dreams." Soon follows, usually, congestion, venous congestion or plethora of the *pulmonic* heart, and then the train of somnolency or intellectual oblivion comes stalking on—stupor, coma, apoplexy, death.

Somnolency or lethargy, however, in a pathological sense, is more allied to waking than to sleep, of which somnambulism and the dream are illustrations.

Hypertrophy and mitral disease, however, seem to induce contrasted effects on brain sleep, and consequently on varied degrees of insanity. Eccentric hypertrophy is the forerunner of cerebral excitement, inflammatory affections of the brain and its membranes. Concentric hypertrophy, inasmuch as the ventricle cannot contain the returning blood, and also mitral disease, as all other states which tend to derange or arrest the upper circulation, by pressure on the brain or cord, are constantly the remote causes of insomnium, or disturbed sleep. In

sleepless maniacs we frequently observe the helix inflamed and tumid, and the eyes blood shot. The relief of the brain from the escape of blood, and consequently of stupor, insomnia, and even recent or transient insanity, is often evident. Epistaxis, hæmorrhoidal flow, or even the gush from an artery on the attempt at suicide will often at once restore sanity to the mind.

Analogous to these moral causes of the heart's increased action, are the mesmeric *passes*: for flushes and heat constantly precede the trance. This trance is not sleep: if *that* occur, the occupation of the mesmerist would be at once gone; it is the result of that congestion, which, like the effect of a brooding sorrow, is monotonous and all absorbing, and of the distraction of the mind from all else which would, through eye or ear, pass into the brain.

As sleeplessness is produced by, so it may, in its turn, induce heart-disease, by the *reaction* consequent on protracted pervigilium: hence, indeed, we shall have, as Copland observes, "more or less special influence upon the brain, heart, lungs, liver, &c., according to the susceptibility or predisposition of these organs."

The hypnotist, who asserts his never failing power of producing *sound sleep at will*, is guilty of gross ignorance, or extreme presumption: for hypnotics or the remedies of sleeplessness must be varied according to their varied causes, all, however, being concentrated to one end, the repose of the mind.

If we completely understood the essence or rationale of sleep, we might be able, by reproducing that, to ward off or overcome its anti-thesis; but our psycho-physiology is not perfect enough to determine the seat of the faculties, so as to enable us to attack the malady, or that one or more of these faculties which, being disturbed or still prone to work, *will not sleep*.

We may, perhaps, hope, if phrenology is ever fashioned into a system, to decide on the *seat* of a faculty, and if it be disordered, morally or physically, to restore it by some local remedy on or near its seat.

We seem, indeed, to be somewhat progressing, when we can fairly locate mind in the hemispherical ganglion, and consciousness in the cerebral base. This may be, in a degree, illustrated by the effects of situation or relative posture of the head, by which the principle of gravitation acts on the circulation; increased impetus, arterial plethora or venous congestion, inducing, by stimulation or pressure, all the phenomena of sleep, insomnia, and their affinities. When, therefore, the term *neurypnology* is used by Mr. Braid, the circulation must still be deemed the most essential point in the phenomena.

The interposition of the dura-matral processes between the brains must be remembered in our adoption of the position of the head. Hy-

peræmia of one portion of the encephalon, and anæmia of another, may thus be induced. Now, if all the organs of the brain were at once stimulated by scarlet blood, perfect insomnia would be the result, a state, probably, of extreme cheromania: if only a certain number, then we shall observe *relative* phenomena, various illusions, for instance, or eccentric actions. For these special irritations we refer to the lectures of Dr. Symonds, of Bristol, which we reviewed in our preceding number. The remedies for sleeplessness may be stated to be either moral, those which act on intellect or passions: physical, those which act through the system; psychical, those which influence the senses.

In referring to the requisites for sleep, the annotator of Hippocrates has thus written close up to this mark: "*tribus opus est ut quis placide dormiat, cerebro temperato, vapore benigno, et animo quieto.*"

The young psycho-pathologist, according to his metaphysical or organic learning, will be prone to look only on one side of the shield. We must, not, however, implicitly rely solely on moral suasion, or on physical remedy, but adopt a combination of the two; as brain congestion may be symptomatic of heart disease, or the immediate result of mental influence.

It will be our duty not only to *change matter*, but to regard that *something*, ethereal or spiritual, of which we have, at least, internal evidence, and which, by its more healthy alliance with brain may induce salutary results.

Without entering deeply into the reaction of mind and matter, we may observe that thought—self multiplying thought, on a *right* theme, might almost instantaneously change the ganglial molecules: and thus courtesy and kindness, and other psychical anodynes, might eventually weed "the bosom of that perilous stuff" that had poisoned it, and then the seeds of health may be sown on the mental soil with profit.

In our practice we have been constantly convinced of the influence of well-guarded conversation. We do not mean the doling out of a formal homily, but the cautious and placid allusion, even to the wanderings of the patient, at one time yielding or coinciding, at another explaining, in a familiar and cheerful way, so much of the cause as the patient can easily comprehend, or can placidly endure. The sleepless brain may thus be often soothed to slumber.

And this especially at the onset of insomnia, so often the incubation of insanity; for, as we have hinted regarding more severe degrees of mental disturbances, the chance of cure is in proportion to the brevity of the existence of insomnia. The germ of insanity may be thus blighted as it begins to expand.

It is not essential that we should here offer long comments regarding remedial agents; but we must remember that there is a variety of

remote causes of brain excitement, and of consequent insomnia, which we must take the premonitory step of removing, ere we may hope to correct a habit or relieve a symptom.

Such are the various organic lesions. For hepatic engorgement, dyspepsia, lodgment in the cells of the colon, ascarides, the remedies are obvious ; mercurials, taraxacum, antacids, bitter purgatives, friction, exercise, and the habit of lying during digestion on the right side, or a frequent shifting of the body. The removal of many of these causes, will, by relieving pressure on the heart and lungs, engender brighter thoughts, a shadow will pass from the spirit, and slumber will ensue. The suppression of cutaneous and renal secretions, as well as latent or undeveloped gout, may induce a certain metastasis (?) to the brain, which may be cited as a cause of insomnia. The irritation of acute or inveterate skin disease, especially prurigo, and lichen, and other forms marked by hyperæsthesia of the skin, may be also adduced. These torments, especially when they occur during the state of pregnancy, become constantly aggravated towards *sleeping time*. Such sufferers should be allowed to slumber at any time when the subsidence of pruritus will allow them. The varicose condition of the veins of pregnant women, is sometimes followed, even after parturition, by a most uneasy state, which renders their nights sleepless. The relaxed valves and venous coats may be relieved by bandage and spirit lotions.

In all cases where hypersemia or congestion is apparent, the loss of blood is often a most valuable antecedent. After depletion, the use of mercurials becomes more certain and effective, that of anodynes is rendered more safe and potent. If bleeding be contraindicated, opiates, of which the most eligible are the acetate of morphia, or the black drop, may be combined with antimony or digitalis, a form which, by inducing diaphoresis and diuresis, as well as by lowering vascular action, will go far to obviate narcotism and other baneful effects of opium.

The endermic method of administering opium, is often of much value, powdered opium being strewed on an abraded surface, or smeared at the outlets of mucous canals. In referring to sedatives, it has been ingeniously suggested, that, in cases of insomnia, where the pupil is expanded, opiates are the most eligible ; where it is contracted, belladonna. The asthenic insomnia are easily diagnosed ; of course blood must be saved, and the anodyne or soothing modes immediately adopted.

In this form, the combination of seemingly contrasted remedies is often most judicious. Intestinal torpor requires a stimulant chologogue ; a languid yet irritable circulation demands a tonic anodyne ; and it is true that we especially observe the advantages of steel and

morphia, particularly on convalescence from the acute stage of a malady. The *narcotic* influence of opium, even in increasing and often repeated doses, which is indeed the most efficient mode, is entirely obviated by the combination of aperients, anodynes and tonics.

In the languid system—concentrated nutrition should be administered, the beverage consisting of sweetwort, or infusion of malt or hop.

Pure air should be breathed by those who sleep unsoundly. The position of the pillow should be regulated according to these two forms of insomnia, the sthenic and the asthenic. In the first, the head should be high; in the second, almost horizontal. In the first, the pillow should be covered with oil silk, especially if cold cloths or sponges are employed; in the second, it may be formed of thin flannel, and filled with hops, especially if the patient be in advanced life.

Regarding some of the mechanical inducements to sleep, we may be taught by nature or instinct. At the onset of slumber, we, often unconsciously, proceed to the adjustment of our position, in order to compose the body, and obviate the stretch and strain of muscle. This may, perhaps, be a second cause or result: the hemispherical ganglion and therefore thought, being quiescent, as well as sensation and consciousness, the spinal system is left to its instinctive and its reflex actions, (just as a paralytic limb is often excited to unconscious action more easily than a sound one); the motive apparatus is then obedient, and the limbs prepare for sleep.

But if the spinal system be *exhausted*, then we have insomnia, and a tendency to twitchings or *fidgets*; a symptom, indeed, which is the first induced by mesmerism, ere the dropping into the trance. The psychical remedies, those which act on the brain, not so much as an organ of thought or reasoning as a concentration and sympathy of the senses, have long been made the subjects of mere morbid curiosity by scientific enthusiasts, and of mercenary extortion by the empirical hypnotist. They are all based on the principle of monotony. A prosy speech or sermon, the ticking of a clock, the hum of bees, the cawing of rooks, the plashing of the waterfall, the repetition of the alphabet, the counting of a thousand, protracted silence, the lullaby of the nurse, darkness—all influence the brain through this principle, and they are thus summed up by Spenser:—

“Whiles sad night over him her mantle black doth spred,
And more, to lull him in his slumber soft,
A trickling streame from high rocke tumbling downe,
And ever-dringling rain upon the loft,
Mix'd with a murmuring winde, much like the soune
Of swarming bees, did cast him in a swoune.”

The mode adopted by the late *Hypnologist*, Gardner, consisted in

fixing the attention, by listening to and counting one's own breathing: and this auricular hypnogeny was proved to be efficacious in the cases of many a well-known genius. The hypnogenic process of Mr. Braid is ocular, counting chiefly on the intense concentration of vision to one point.

When this monotony is combined with agreeable sensation, the effect will be more decided. Dr. Elliotson refers to a lady who sank into slumber whenever her husband rubbed her feet; and the animal magnetism combined with the luxurious abandonment of true affection will, *a fortiori*, induce the same happy slumber.

When a part is richly endowed with nerves, or possesses, naturally, very high sensibility, a slight electric effect seems to be induced by friction: the combing of the hair, especially that on the occiput, will constantly exert an anodyne influence, and we have no doubt that, in the state of hysterical insomnium, gentle friction of the areola of the mamma would often induce a disposition to slumber. We might here refer to the biological phenomena which have excited so much wonder and credulity; we might tell how Dr. Simpson sent a person to sleep, and commanded her not to wake for thirty-five hours; but we have before commented on these processes, which are all based on the abstraction of the mind from the thoughts or persons, the consciousness of which alike interferes with repose. A thought, an eidolon, or a person, will equally induce an action in the cerebrum which may be the exciting cause of insomnium.

We have thus briefly and discursively commented on a subject of deep importance, as well to the comfort of mankind as to our preservation from various psychical maladies. Our propositions, drawn from experiment and observation, will tend to complete the subject of sleep and sleeplessness, the *physiology* of which we had discussed in former essays. We have waived the recital of cases and anecdotes, many of which might have been familiar to our readers. We profess not to merit the full benediction of Sancho, for the *invention* of sleep, but we may hope, that we have contributed somewhat to insure or induce for many a careworn and sleepless being, the most exquisite balm of slumber.

ART. V.—HISTORY OF MENTAL PHILOSOPHY.*

FOUR large octavo volumes, of some five hundred pages each, on the subject of psychology, may, in themselves, be regarded as almost a literary phenomenon in this country. In Germany, and even in France, this subject has commanded a teeming press; while our greater propensity to physical pursuits in general, than to intellectual speculations, has prevented the birth among us even of an adequate history of a subject which lies at the foundation of the philosophy of all the moral sciences, not excluding even religion itself. At all events, it cannot now be said that we have not a history of philosophy in English, of goodly bulk and proportions—ushered into the world, withal, under auspices no less royal and popular than those of the Queen's consort; for to Prince Albert are these volumes dedicated, and with his Royal Highness's permission.

While this work professes to be a "History of Metaphysical Philosophy," and nothing more, the author has also given dissertations, in several places, on some of the elementary topics relating to psychology, unconnected with the course of simple chronological narration. In this method he has followed one or more recent writers on some branches of the same subject; but, like them, we think he would have done better to limit himself to the history of the subject; for we do not deem these digressions, by any means, the most successful parts of the work; and as Mr. Blakey has chosen to adopt the order of time, rather than of schools or of development, the method of mixing original matter with the history appears more interruptive of the thread of the narration than it might have been, had a different order than the chronological been adopted. The writers to whom he is particularly indebted for his details are De Gerando, Cousin, Damiron, Brucker, Ritter, Michelet, Dugald Stewart, Stanley, Cudworth, Enfield, and Hallam.

In his "Introduction," our author justly observes, that mental philosophy, in some form or other, is a want of human nature, since everything centres in mind. Even the *positive* philosopher, by which term the cultivator of natural science is denominated by the Germans and the French, is not in a position to mould his own facts, without the virtual recognition of principles which have a close relationship with mental science. We might exemplify this remark by a reference to the general principle of induction; for whenever the induction is not absolutely perfect, (as it is in the case of Aristotle's inductive syllogism,) by

* History of the Philosophy of Mind, embracing the opinions of all Writers on Mental Science, from the earliest to the present time. By Robert Blakey, Esq. In four vols. 1851.

means of the actual enumeration of all the particulars which go to constitute the general principle, we are obliged to proceed on the ground of that law of our mental constitution by which we cannot help believing that like causes produce like effects. But especially are three great divisions of theoretic knowledge allied to the psychological analysis—namely, morals, politics, and religion : for, without a close acquaintance with the mental functions and operations, little can be done in reducing either of these important branches of study to anything like a system. Freedom, duty, responsibility, obligation, conscience, moral actions, rewards, punishments,—all involve mental phenomena which require a strict analysis, in order to obtain a satisfactory basis for any proposed theory, ethical, political, or religious. He would certainly be a sorry moralist, jurisconsult, or divine, who should fail to seek the basis of ethics, jurisprudence, and theology, in the constitution of the human mind ; although, no doubt, many have erred in not recognising this principle, whom it has most nearly concerned.

It is a fact which might be worth tracing to its causes, did space allow, that psychological studies have, in England, been comparatively so little cultivated for a century past. In Scotland they have obtained much more attention. Psychology can hardly be said to have formed any portion of academical instruction in this country, till the rise of the London University, in 1828, when it was made a part of the *curriculum*, as in Scotland, by the first Council. The change by which the original University became University College, and a new body was created by the government as a board of examiners, to be called the University of London, has proved anything but favourable and encouraging to psychological studies. The reason is, that mathematics pure and applied, and classical literature, constitute almost the entire arena in which honours and emoluments are to be obtained in the first liberal university which has been established in England. In Germany, psychological philosophy has been a marked feature of the educational literature of the country. It seems peculiarly characteristic of the genius of the German mind : hence, it has entered very essentially into the academical systems, under the head of psychology, metaphysic, logic, ethic, and æsthetic. Again, in the colleges of France, the candidate for the degree of *bachelier-ès-lettres* includes among his studies metaphysic, logic, and morals. In Trinity college, Dublin, "logic, the philosophy of the mind, and moral philosophy," form a considerable portion of the *curriculum*. The same may be said, especially of the two latter subjects, as regards the Scottish universities. In the system of our ancient English universities, the philosophy of the mental department of human nature has not formed one of the most prominent studies : the elements of logic, the ancient philosophical treatises

"Locke's Essay," and "Paley's Moral Philosophy," however, have entered, more or less, either optionally, or otherwise, into some of the examinations.

The university of London has included in the examination for the degree of B.A. a part of "Whately's Logic," a part of "Paley's Moral and Political Philosophy," and "Butler's Three Sermons on Human Nature." In this university the degree of M.A. may be taken in three different ways, which are open to the choice of the student; one way being by examination in "logic, moral philosophy, philosophy of the mind, political philosophy, and political economy." The degree of LL.B. involves examination in Bentham's "Theory of Morals and Legislation." Any candidates for the degree of M.D., who may not have previously graduated in arts, in London or elsewhere, are examined in the "elements of intellectual philosophy, logic, and moral philosophy." The above regulations may be seen in the London University calendar.

As the tendency is (as it ought to be) to demand a full general education for physicians, as preparatory to that which is strictly professional, there is little doubt that, ere long, all will previously graduate in arts; so that this philosophical examination for the degree of M.D. will soon become obsolete. Indeed, it is not easy to see on what consistent principle the degree of B.A. should, in this case, be a substitute for the examination in "intellectual philosophy;" since no "intellectual philosophy" (proper) is demanded for the B.A. degree, or its honours. The legal degree, again, only touches the subject of psychology in a very limited manner, and on the side of ethics. The examination for the B.A. degree demands but little logic, an acquaintance with only two writers on ethics, and no general philosophy of the mind. The students who have passed on to the degree of M.A. have hitherto been few in number, as compared with those who have taken the B.A. degree; a result not surprising, as many students are hurried to business and the professions at an early age. The calendar does not indicate the three distinctions among those who have passed, in the examination for the master's degree; but it is probable that not more than one-third of the whole number who have taken this degree, have graduated for the *moral sciences*.

On the whole, the curriculum of the university of London, as at present arranged, will be found giving, practically, but a small amount of encouragement to "philosophy," as this term is understood in the universities of the Continent of Europe and of the sister kingdoms. The graduation for the baccalaureat would seem to be the proper occasion for insuring that the student shall possess a competent acquaintance with the subject, by having prepared himself for examination in the

"History of Philosophy." This would go far to secure that the bulk of the graduates shall not be ignorant of inquiries which have a close bearing on everything that is related to the highest interests of man. Nor would it follow, any more than it now does, that the student should be committed to any one *particular school* of philosophy: for the hand may not yet have appeared which shall have power to grasp conflicting elements, and satisfactorily to combine into one harmonious system whatever is valuable, because true, in the schools of antiquity, and in those of the modern transcendentalism, with our own prevailing more experimental and inductive methods. As matters now are, it certainly appears, to any one who judges from the actual requirements stated in the first seventy pages of the calendar, that the student may go forth into society as the representative of the university of London, by its degree being attached to his name—nay, that it is even possible for him to take, in succession, every degree which it confers, in arts, law, and medicine, and with honours too, and yet to escape any historical acquaintance with the philosophical speculations of such writers as Bacon, Hobbes, Descartes, Leibnitz, Locke, Berkeley, Hume, Reid, Stewart, Brown, Kant, Schelling, Hegel, Cousin, and Jouffroy.

Our author, in justly vindicating for the philosophy of mind a greater degree of attention than it has yet gained, as an academical pursuit, in England, closes his introduction by a few general remarks by way of illustrating what he thinks may be admitted with certainty in relation to the subject. Among these is the observation that the separate and distinct characters of matter and mind are established by the historical statements and details of all ages; and that we have here a "solemn unity of universal assent, which no hardihood of assertion can deny, nor captious sophistry gainsay." We have no desire to dispute the general doctrine of immaterialism, but we think it far more philosophical to treat psychology as mainly a *phenomenal* science; a science, we mean, which inquires into the operations of the mind, and the functions to which they belong. The ontological question regarding materialism and immaterialism, we consider as at least an after consideration, so far as mere human philosophy is concerned, and from its transcendental character as rather belonging to the sequel than to the outset of a course of mental philosophy. But however this may be, we simply state a fact when we say that Mr. Blakey's assertion is here much too general; for certainly we are not authorized to say that the earliest Greek notions on mind were uniformly immaterialistic. The speculations of Thales, Anaximenes, Diogenes of Apollonia, and the Epicureans, respecting the soul appear to have been clearly materialistic; and it is doubtful whether to this list we should not add the Stoics.

It was natural that speculative thinkers should, at all periods of civilization, feel a high interest in the opinions of those who had preceded them. Accordingly the history of philosophy was coeval with philosophy itself. It could hardly fail to blend with all the original matter which the great men of antiquity have recorded, and which has still been preserved to us as a costly treasure amid the wrecks of time. Hence Plato and Aristotle have furnished us with invaluable materials of this kind; Cicero, the prince of the Roman literati, has handed down many dogmas of the Greeks by way of illustrating his own eclecticism; and we are indebted to the laborious Germans for a complete digest of passages from the great orator relative to philosophy, which work was published in Berlin, near the close of the last century. We may add Xenophon and Lucretius as great authorities for those parts of the history of philosophy which came under their more immediate notice; also Diogenes Laertius, Seneca, and Sextus Empiricus. Galen, and several of the early fathers of the Christian church, have also been contributors to the same general store. In the fourth century, Eunapius and Stobæus laboured in the same field; and in the sixth century, Hesychius gave to the world a biographical abridgment chiefly from Diogenes Laertius.

The revival of learning after the dark ages, brought a revived attention to philosophical speculations; and, in the fifteenth century, Burley published his "*Lives of the Philosophers*," soon after the art of printing had gained a footing in England. In Italy, Ficinus and Pomponius produced a new interest, among their countrymen, in the writings of Plato and Aristotle. Other historians of philosophy followed; till, at last, in recent times, the history of philosophy has formed one of the grand burthens of the press on the continent, but especially in Germany.

Our author begins with the mental philosophy of Greece, which occupies nearly half of the first volume. But the work, though likely to be not uninteresting to the general reader, is of too popular a character for very close dealing with the Greeks; the philosophical critic being for the most part pretty much sunk in the historian. There is also, frequently, a want of keeping as to the amount of matter awarded to the several writers. Thus, we should have expected that, in so voluminous a work, Plato would hardly have been dismissed with a dozen pages; and that Aristotle's recondite and laborious speculations, in his "*Metaphysic*" and his "*Organon*," would have been thought to require rather more than some five and twenty pages to do him anything like justice.

After treating of the Roman, the Sceptical, the Indian, the Neo-Platonistic, and the Patristic schools of philosophy, the author gives to

the reader some of his own psychological views; more particularly on the doctrine of "distinct faculties or powers of the mind." He appears, for instance, to object to the ordinary distinction between "judgment and imagination." The author maintains that the only difference between the two lies in the circumstance, that "the ideas the mind is employed about are true in the one case and false in the other;" in other words, that "real and fictitious representations constitute the only difference between these two mental powers." Our space will not allow us to digress at length on any one point of the author's original opinions; but we do not hesitate to say, that to us, apart from all the ambiguity which we are aware may attach to the language employed, his views on this subject are by no means satisfactory. There is surely a difference to consciousness in a reverie which may flit through the mind in a waking dream, and a case in which the mind apprehends or denies a distinct relation between a subject and a predicate. The former we, as everybody else, should call an exercise of imagination; the latter an exercise of judgment. With, at least, equal infelicity, as seems to us, Mr. Blakey denies all sort of *analysis* to thought. He says, "If they (thoughts) can be analyzed, they can be subdivided; and what is capable of subdivision may be divided in *infinitum*. Then, if thoughts be infinitely divisible, they must be infinitely extended, and what is infinitely divisible and extended can have no elementary parts; consequently, thoughts must be nothing at all. What a fine doctrine for the sceptics!" This may be ingenious; but we think it not more conclusive than a familiar pseudo-sorites, which is sometimes given in books of logic, as an example of the fallacies; "France is the finest country in Europe; Paris is the finest city in France; this salon is the finest room in Paris; my uncle is the finest man in the salon; therefore my uncle is the finest man in France."

The chapter on the 'Metaphysical Disquisitions of the Ancient Fathers of the Church,' suggests a field for most interesting matter. Their opinions are the more worthy of attention, because the establishment of Christianity introduced a new element into philosophical inquiries. It is impossible to take any definite views of the Christian Scriptures, so as to admit them to have an historical validity, without feeling it compulsory on reason to take into account their utterances, whenever they speak on any subjects that are closely blended with the philosophical speculations which have characterized civilized society from the earliest times, and always will continue to be a large element in the literature of nations. Not a few of the Christian fathers, moreover, were considerable adepts in the study of philosophical antiquity. Justin Martyr, for instance, had paid particular attention to the doc-

trines of the Greek schools, especially those of Plato and Aristotle. Eusebius tells us, that Justin wrote a work on the nature of the soul of man, in which he gave a digest of ancient opinions ; but no such work is extant. Tatian's notions were somewhat mystical ; for he maintained that there are, in all *good* men, two principles—the soul and the understanding, or *logos*. We find a similar tendency to mysticism in many of the fathers ; and as in theology, so in philosophy, however valuable as witnesses, they are often very indifferent guides. Origen and others held the supposition of a metempsychosis, a dogma found both among the Gnostics and the Neo-Platonists. Not a few of the ancient Fathers, however, either opposed the study of profane philosophy altogether, or held strong prejudices against it. Among these were Hermes, Tertullian, Arnobius, Irenæus, and Lactantius. We have, in the sequel, a useful collection of the opinions of some of the Christian fathers, “as to their conceptions of free-will,”—a subject which is still debated as a controverted point by those who attempt to reduce the transcendental part of theology to system, and are not content with its practical bearing on man's actions, in which respect it is very plain. The views of many of the Fathers on this subject are given in actual quotations from their works ; among some of which we might trace some of the same casts of thought which have prevailed in modern times among the respective advocates of the libertarian and the necessarian schemes, as advocated, for instance, by Dr. Samuel Clarke on the one hand, and Jonathan Edwards on the other.

The thirty-sixth and thirty-seventh chapters contain, “Remarks on the Faculties of the Mind,” and on what may be urged against their individual existence, nature, and operations.” Our author does not begin, as he might very properly have done, with telling us what he would understand by “faculties of the mind,” and “distinct faculties ;” but he argues strenuously “against distinct faculties or powers of the mind,” as though this doctrine were opposed to the “absolute unity or singleness of the mind of man.” We do not see how this need be the case, any more than a distinction in the animal and organic functions of man's body opposes the idea of one corporeal life. Mr. Blakey maintains, for instance, as we have seen, that there is no difference between judgment and imagination..

Bating what may be due here to the ambiguity of terms, which ought always to be carefully thought of in all metaphysical questions, we are of opinion that the whole of this discussion is by no means satisfactory : for surely the main objection to the common view of distinct faculties must fall to the ground when we take almost any example of this doctrine. For example—has not man the power of thinking, and has he not the power of feeling ?—of thinking ideas and

trains of them, and of feeling bodily sensations—and, in a different way, of feeling emotions, such as joy or grief? May we not say that the phenomena of thought, of sensation, of emotion, are very obviously distinct to consciousness, and that it is quite conceivable that man might have had the first of these without the others? and wherein consists the impropriety of supposing that these varied functions belong to one and the same being? Indeed, is not this a fact? and why should we not speak of these revelations of the constitution of the mind as the results of different powers? We can hardly conceive of any language less likely to be misunderstood, provided we do not mean by it that the phenomena in question always necessarily exist apart, which they certainly do not; and which the doctrine of “different faculties” by no means needs to be regarded as implying.

In the chapter on “Saxon Metaphysics,” we have quotations from Alfred the Great, Alcuinus, and Bede. It is interesting to know what were the meditations which occupied the leisure hours of the greatest of our monarchs. The following speculations on “chance and freedom,” by King Alfred, are from “Turner’s Anglo-Saxon History:”—

“It is nought when men say anything happens by chance; because everything comes from some other things or causes, therefore, it has not happened from chance; but if it come not from anything, then it would have occurred from chance. Then said I, whence first came the name? then quoth he, my darling Aristotle maintained it in the book that is called ‘Phisica.’ Then said I, how does he explain it? He answered, men said formerly, when anything happened to them unexpectedly, that this was by chance. As if any one should dig the earth, and find there a treasure of gold, and should then say that this happened by chance, but yet I know that if the digger had not dug into the earth, and no man before had hidden the gold there, he would by no means have found it. Therefore it was not found by chance.

“On the freedom of the will, I would ask thee, whether we have any freedom or any power, what we should do, or what we should not do? or does the divine pre-ordination or fate compel us to that which we wish? then, said he, we must have power. There is no rational creature which has not freedom. He that hath reason, may judge and discriminate what he should will, and what he should shun; and every man hath this freedom, that he knows what he should will and what he should not will. Yet, all rational creatures have not a like freedom. Angels have right judgment, and good will, and all that they desire they obtain very easily, because they wish nothing wrong. But no creature hath freedom and reason except angels and men. Men have always freedom, and the more of it as they lead their minds towards divine things. But they have less freedom when they incline their minds near to this world’s wealth and honours. They have no freedom when they themselves subject their own wills to the vices; but so soon as they turn away their mind from good, they are blinded with unwise-ness.”

The second volume, after introducing us to the scholastic metaphysicians, devotes very properly a few pages to Lord Bacon; and it is justly (so far at least, as our own country is concerned) observed by the author, that after the time of this truly distinguished man, the whole aspect of metaphysical philosophy was altered, and his genius exercised a most beneficial influence on subsequent speculations of this kind; so that we have scarcely an instance, since his day, of a single eminent man falling back into the old scholastic mode of treating speculative philosophy. Dugald Stewart has well observed, that although Bacon, on some occasions, assumes the existence of "animal spirits" as the medium of communication between soul and body, which dogma was then universal among the learned, yet the theory is commonly so alluded to by this illustrious man as that the facts of human nature can easily be detached from it; and as to the scholastic questions relating to the nature or essence of mind, whether it be extended or unextended, whether it have any relation to space or to time, or whether, as some maintained, it exists in *every ubi*, but in *no place*, Bacon has passed over these questions with "silent contempt," and as Stewart thinks, has "probably contributed not less effectually to bring them into general discredit by this indirect intimation of his own opinion, than if he had descended to the ungrateful task of exposing their absurdity." Bacon precisely distinguished between those ontological inquiries which the schoolmen vainly pursued, and which, with as little success, and quite as paradoxically, have been ardently carried on by the German philosophers—and those more modest psychological investigations which content themselves with discovering and registering the phenomena and the functions of man as an intelligent and moral being. Though Bacon did not forbid more speculative disquisitions, it is evident that he placed them on a different footing from that inductive psychology, which so much more harmonized with his own physical method. On the limits and boundaries of human knowledge, he makes the following observations:—

"For human knowledge which concerns the mind, it hath two parts; the one that inquireth of the substance or nature of the soul or mind, the other that inquireth of the faculties or functions thereof. Unto the first of these, the considerations of the original of the soul, whether it be native or adventative, and how far it is exempted from laws of matter, and of the immortality thereof, and many other points do appertain; which have been not more laboriously inquired than variously reported; so as the travail thereon taken seemeth to have been rather a maze than a way. But although I am of opinion that this knowledge may be more really and soundly inquired even in nature than it hath yet been, yet I hold that in the end it must be bounded by religion, or else it will be subject to deceit and delusion; for as the substance of the soul in the creation was not extracted out of the mass of heaven and

earth by the benediction of a 'producat,' but was immediately inspired from God ; so it is not possible that it should be otherwise than by accident, subject to the laws of heaven and earth, which are the subject of philosophy ; and therefore the true knowledge of the nature and state of the soul, must come by the same inspiration that gives the substance."

In regard to final causes, Bacon appears to have laid but little stress, though it is certain that a sober investigation into them, under the careful auspices of his own method, has not been without its effect on science : witness the discovery of the circulation of the blood, and that of achromatic telescopes, for example. Probably Bacon was repelled from much encouraging this path of inquiry by the vagaries of some of the schoolmen, and the fanciful analogies and hypotheses in which it had, in his time, so long been the fashion to indulge. Still he was far from being insensible that it might lead to truth.

"The search into first causes is barren, and like a virgin consecrated to God, it brings forth nothing. (This) second part of metaphysics I object to ; not as a speculation which ought to be neglected, but as one which has, in general, been very improperly regarded as a branch of physics. If this were merely a fault of method, I should not be disposed to lay great stress upon it. But, in this instance, a disregard of method has occasioned the most fatal consequences to philosophy ; inasmuch as the consideration of first causes in physics has supplanted and banished the study of physical causes ; the fancy amusing itself with illusory explanations derived from the former, and misleading the curiosity from a steady prosecution of the latter. . . . I would not, however, be understood by these observations, to insinuate that the final causes just mentioned may not be found in truth, and in a metaphysical view, extremely worthy of attention ; but only that when such disquisitions invade and overrun the appropriate province of physics, they are likely to lay waste and ruin that department of knowledge."

After Descartes, Spinoza has very properly some thirty pages allotted to him ; for the bearing of his opinions on some of the later German speculations is great and obvious. Our author states that this extraordinary man was expelled from the synagogue at Amsterdam (being a Jew) for contumacy to his parents ; there is no doubt, however, we apprehend, that his real offence was the freedom of his opinions. There is something tragical and terrible in the description which Mr. Lewes, in his "Biographical History of Philosophy," briefly gives of this event :—

"The day of excommunication at length arrived, and a vast concourse of Jews assembled to witness the awful ceremony. It began by the solemn and silent lighting of a quantity of black wax candles, and by opening the tabernacle wherein were deposited the books of the law of Moses. Thus were the dim imaginations of the faithful prepared for all the

horror of the scene. Morteira, the ancient friend and master, now the fiercest enemy of the condemned, was to order the execution. He stood there, pained, but implacable; the people fixed their eager eyes upon him. High above, the chanter rose and chanted forth, in loud lugubrious tones, the words of execration; while, from the opposite side, another mingled with these curses the thrilling sounds of the trumpet; and now the black candles were reversed, and were made to melt drop by drop, into a huge vessel filled with blood! This spectacle—a symbol of the most terrible faith—made the whole assembly shudder; and when the final ‘*anathema maranatha!*’ was uttered, and the lights all suddenly immersed in the blood, a cry of religious horror and execration burst from all; and in that solemn darkness, and to those solemn curses, they shouted—‘Amen! Amen!’ Thus was the young truth-seeker expelled from his community, and his friends and relations forbidden to hold intercourse with him.”

Perhaps our author hardly does justice to Spinoza as a man. He appears to have been very amiable, his personal character was without blame, and none can doubt the sincerity with which he held his opinions; which, indeed, was proved by his being willing to suffer for them. If devout expressions respecting the Deity, and speaking of “loving him,” mean anything, Spinoza was not himself an atheist; although the iron necessity to which he considered the Deity subjected, and the inadequate ideas he had of divine personality and will, were no doubt calculated to lead to atheism. That Spinoza’s pantheism has given a tone to German speculation, since the time of Kant, (who, whatever his idealism, stopped short far enough from pantheism,) we have never heard questioned. Our author, however, does not allude to this influence. No doubt the pantheisms of Fichte and Hegel are different from that of Spinoza. His pantheism we might describe, in German phrase, as objective, realistic, and plastic. He does not confound the deity with the *ego*, but he understands the Deity to be the substratum, or immanent cause of the *ego*. God is a real being, not an idea. He manifests himself by a plastic energy in bodies and in minds, which are respectively portions of his infinite attributes of extension and thought. Fichte’s pantheism, on the other hand, is an *ich-lehre*, or doctrine of the *ego*, in which the Deity is identified with the moral order of the universe, as conceived by the free activity of the *ego*. This Fichtean pantheism does not distinguish God from the operations of the human mind; and as it assumes that matter does not exist, it is a subjective, idealistic pantheism. Hegel’s system, again, was an absolute pantheistic idealism: thought, with him, being the only true and real existence, and the Deity being nothing more than a development of thought in human consciousness. Schelling’s pantheism the most nearly resembles that of Spinoza, being *realistic*, or maintaining the real existence of Deity, in distinction from

the notion that God is merely an ideal being. It is also *objective*, as not making the deity dependent on the development of the *ego*. It is, indeed, more objective with respect to the *finite* than Spinozism itself; for the latter made bodies and minds only modes of the infinite: Schelling, on the contrary, holds that the finite is not so involved in the infinite as to lose its own real existence.

We pass over many distinguished names, to devote a few lines to Mr. Blakey's estimate of Locke. He regards the "most vulnerable point of Locke's system" to be his doctrine of innate ideas. Perhaps it is so—unless the extraordinary jumble which Locke has made of "*personal identity*," be even a still greater fault. For, on this latter point, Locke certainly either talks what amounts to absurdity, saying that our personal identity depends on memory, or else, by using the term person in a sense of which he gives little or no warning, he departs unwarrantably from all the conventionalities of language. On the subject of innate ideas, our author remarks:—

"The weakness of Locke's arguments, however, appears to me to lie more in his language than in his proofs themselves. He does not deny that men have a certain *innate capacity* to recognise truths of the most abstract form and nature; but he affirms that the mind is not born with these truths put into the *shape of axioms*. There must be previous sensations experienced before truths of such a nature can be appreciated by the mind. Self-evident propositions—such, *e. g.*, as that it is impossible for the same thing to be and not to be, or that whole is greater than its part—cannot be known by children or savages. This is quite true; but the observation does not meet the merits of the question. Children or savages may not comprehend these axioms, when put into the formal drapery of logical terms; but all their reasonings and movements of life, are grounded upon a full and complete recognition of these and similar abstract forms of thought. Experience may precede, but it does not create those general truths. They are part and parcel of the mind itself. We are not born lisping abstract axioms; but they are immediately recognised by every sane mind, the moment that the terms in which they are involved are sufficiently understood. There could be no general or scientific truth unless these elementary principles of thought and reasoning were universally diffused among our race.

"Now, it is very doubtful that Locke ever for a moment thought of denying the *innate materials of thought* out of which those formal axioms are derived. He says he maintains the *capacity* to know abstract truths, and that this may be considered in a certain point of view as *innate*. This brings the dispute within a narrow compass."

"I allow," says Locke, "that there is in the mind an innate capacity to form and conceive certain universal propositions, but I deny that men are born with these formal axioms ready framed in their understandings. His opponents reply, we allow these axioms are not

clothed in a logical dress in the infant or savage man, but that these minds contain the rudiments, or germs, or elements of these axioms, as a part of their spiritual or mental nature. This appears to me the sum or substance of the difference between Mr. Locke and his critics, on this part of the question of innate ideas. If there be a real difference, it is one resting solely on the different terms in which both parties express themselves." Vol. ii. p. 469.

We doubt much whether the author has, in this criticism, quite sounded the depth of Locke's delinquency in the matter of "innate ideas." He not only denies that any ideas, or any truths are *born with us*, which neither Descartes nor Leibnitz ever pretended; but the real theoretic point in which, as we conceive, he differed from those illustrious writers was that he wished to bring all ideas and all truths, in a similar manner, without distinction, under the general category of *experience*: for in his chapters on "Innate Principles," after rejecting the doctrine of Descartes and Leibnitz, he proceeds to trace the "steps by which the mind attains several truths;" and he says that the mind grows familiar by degrees with the ideas let in by the senses; and afterwards the mind proceeding further abstracts them, and by degrees learns the use of general names. He asserts that our knowledge of the truths in question is about ideas not innate but "*acquired*." A child, he adds, must stay till time and observation have acquainted him with them. "This evasion of general assent fails, and leaves no difference between those supposed innate and other truths that are afterwards acquired and learned."

Now this sort of language, and a good deal more like it, appears to us plainly to show that Locke did not mean to make any distinction between such a truth as "every change in the universe must have a cause," and the following—"all horned animals have cloven feet." We doubt not that Locke would have said, as we have heard affirmed now-a-days, that both these truths stand on the common ground of *experience*. The fact is that Locke made no distinction, such as that of Leibnitz and Kant, and which the latter especially has so elaborately and clearly pointed out, between truths that are learned by habit or *experience*, and truths which are grasped and fully recognised by the mind the very first time that any example of their general formula (so to say) presents itself to the mind. The earlier German school has most clearly exhibited this difference—the difference there is between truths which cannot be said to be fully learned and appreciated until many instances in illustration of them have occurred to the mind—and those truths which never, during the whole course of life, appear one whit more certain, from the very first instant when a single illustration of them occurred. In other words, Locke, though not in terms, yet really, set

himself to annihilate theoretically the distinction between inductive generalizations and certain *à priori* and self-evident truths. To say that Locke admitted a certain *innate capacity* to recognise abstract truths, while he denied that men are born with formal axioms in their understandings, is saying but little to the point in question. Yet our author thinks that the sum and substance of the difference between Locke and his opponents consists "solely in the different terms in which both parties express themselves." Surely neither Descartes, nor Leibnitz, nor Hume, nor Reid, nor Kant, would have admitted this solution. The fact appears to us to be, that Locke was wrong in the outset in arguing as though the Cartesians imagined that infants were born with ideas or propositions in their minds. He was wrong in seeming to deny all intellectual and moral instinct, or intuition, in theory; although no one can more clearly admit them both, virtually, when he had once lost sight of the controversy. An example occurs in what he, in one place, says of religious obligation, when he affirms to the effect, that if a man has the idea in his mind of an infinitely wise, powerful, and good being, who is a benefactor to a limited and dependent being, he can no more avoid perceiving that the limited dependent being ought to worship and reverence the Great Benefactor, than he can help seeing the light of the sun at noon-day.

Locke's essay would have better sustained the credit of the author, if he had altogether omitted the disquisition on "innate ideas and principles." Indeed, in his abridgment of it, published in Le Clerc's journal, this part is wanting, as he "thought it best, he tells us, to omit from his short abridgment all the preliminary disputes which were noticed, in order to destroy the prejudices of certain philosophers."

Locke's unsatisfactory treatment of this part of his subject amounts to what we may term almost a gratuitous damage to his Essay: for that he really did admit, perhaps unconscious of inconsistency, what he appears to every one who reads him to argue against, cannot be doubted. Witness, for example, the following passage, which proves, that notwithstanding his apparent theoretical contradiction of *à priori* ideas and truths, he contended for that necessity and universality which are their chief characteristics.

"There is one sort of propositions concerning the existence of anything answerable to such an idea—as, having the idea of an elephant, phoenix, motion, or angle in my mind, the first and natural inquiry is whether such a thing does anywhere exist? and this knowledge is only of particulars. No existence of anything without us, except God, can be certainly known further than our senses inform us."

"There is another sort of proposition, wherein is expressed the agreement or disagreement of our abstract ideas and their dependence on

one another. Such propositions may be universal and certain: so, having the idea of God and myself, of fear and obedience, I cannot but be sure that God is to be feared and obeyed by me: and this proposition will be certain concerning man in general, if I have made an abstract idea of such species whereof I am one particular. But yet this proposition, how certain soever, that men ought to fear and obey God, proves not to me the existence of man in the world, but will be sure of all such creatures wherever they do exist: which certainty of such general proposition depends on the agreement or disagreement to be discovered in those abstract ideas. In the former case our knowledge is the consequence of the existence of things producing ideas in our minds by our senses; in the latter, knowledge is the consequence of the ideas (be they what they will) that are in our minds, producing there general certain propositions.

"Many of these are called *æternæ veritates*, and all of them indeed are so; not from being written in the minds of all men, or that they were any of them propositions in any one's mind till he, having got the abstract ideas, joined or separated them by affirmation or negation." (Descartes, Leibnitz, and Kant himself, would readily, in various phraseology, have admitted this.) "But whenever we can suppose such a creature as man is endowed with such faculties, and thereby furnished with such ideas as we have, we must conclude he must needs, when he applies his thoughts to the consideration of his ideas, know the truth of certain propositions that will arise from the agreement or disagreement which he will perceive in his own ideas. Such propositions, therefore, are called eternal truths, not because they are eternal propositions actually formed and antecedent to the understanding that makes them, nor because they are imprinted on the mind from any patterns that are anywhere of them out of the mind and existed before; but because being once made about abstract ideas so as to be true, they will, whenever they can be supposed to be made again at any time by a mind having those ideas, always actually be true."—Essay, book iv. ch. 2.

Our author has justly assigned a place in his work to Dr. Samuel Clarke. We are not, however, quite satisfied with the account given of the basis of this distinguished writer's argument for the divine existence; which is said to be the following statement from Newton's "Principia":—

"God is eternal and infinite, omnipotent and omniscient; that is, he endures from everlasting to everlasting, and is present from infinity to infinity. He is not eternity and infinity, but eternal and infinite. He is not duration or space, but he endures and is present. He endures always, and is present everywhere; and by existing always and everywhere constitutes duration and space."

"Upon this foundation," says the author, "Dr. Clarke endeavoured to raise his *à priori* argument for the existence of a Deity." Surely not so: the foundation of Clarke's "Demonstration of the Being and Attributes of God," was the following: "It is evident that something does now

actually exist." (e. g. we ourselves, the universe, &c.) If something has not existed from eternity, the things which now are must have risen absolutely from nothing, and without any producing cause; we are, therefore certain something has existed from eternity."

The truth is not exactly that the learned have "abandoned" Clarke's line of argument, which is still allowed to contain some very beautiful trains of *à priori* reasoning; but trains which follow on the previous admission of a Deity. The fault of Clarke's argument consists in its claim to be an *à priori* or mathematical demonstration of the divine existence (though still with some inconsistent admissions), whereas, at the outset a matter of fact is assumed, and no matter of fact is capable of mathematical proof. This matter of fact is that something exists, and, it is affirmed, that it can only be accounted for on the supposition of a Deity. The account of Clarke would have been improved, if an analysis had been given of the celebrated controversy between him and Leibnitz, but it is only alluded to under either names.

About twenty pages are devoted to Dr. Reid, who may be regarded as the main founder of the Scottish school of psychology. We must limit our remarks on the author's notice of this eminent philosophical writer to one point. He says, on the subject of Reid's realism as opposed to Berkeley's idealism, that—

"Reid's arguments against those who deny the existence of matter are certainly very weak and defective. He lays down the position himself, that preception is entirely an art of the mind; so that he does, in substance only, affirm the same thing as Berkeley and Hume do. Both assert that we cannot go beyond our own consciousness, and therefore can never know things *per se*; but they never call in question the common sense belief that matter exists externally. The grand argument, therefore, used by Reid, for the existence of an external world, is founded on the irresistible belief which arises from preception and memory. That this belief is universal and influential, no one can question, not even the sceptics themselves; but it may still be affirmed that this is not *proving* the existence of anything beyond the existence of mere perception and memory."

Unquestionably, Berkeley *did* deny that "matter exists externally;" and Reid himself did not profess to *prove* the existence of matter, any more than Descartes professed to prove the existence of self. He considered it a primary element of belief; and thus did Reid consider the existence of a non-*ego* without us. He says—

"The belief of a material world declines the tribunal of reason, and laughs at all the artillery of the logician. Reason itself must stoop to its orders. Therefore, since we cannot get rid of the vulgar notion and belief of an external world, it were better to make a virtue of necessity, and to reconcile our reason to it as well as we can."

No doubt Reid maintained the doctrine of a material world, on the principle that we just cannot help believing it ; proof he brought none, and pretended to none. Whether he erred in limiting the mental energy to a mere consciousness of the *ego* and its operations—denying it any immediate cognizance of the *non-ego*—is another question. Even this immediate cognizance, if it exists, can hardly be called proof. It is beyond proof—it is intuition.

The middle of this third volume brings us to Kant, the chief of the more modern German school. Some of our readers, who have not read any German metaphysics, may be curious to know what was the origin and design of the speculations of the great author of the critical idealism. In his "Prolegomena to all Future Metaphysic," he says—

"My intention is to convince all who occupy themselves with metaphysic, that it is necessary first to settle the question whether metaphysic be possible. Since the essays of Locke and Leibnitz, or rather since the origin of metaphysic, no event has occurred so calculated to decide the fate of this science as the attack made upon it by Hume, who took up a single but important conception, that of cause and effect ; consequently the derived conceptions of power, action, &c., and challenged reason, which holds it up as its own produce, to say by what right it concludes that one thing may be so constituted, that if it be given something else must necessarily be inferred, for this is the meaning of the conception of a cause. He proved beyond contradiction, that it is quite impossible for reason to discover in the conceptions themselves any necessary connexion, since we cannot see why, because something is, something else must necessarily also be ; and consequently we are at a loss to know how the conception of such a connexion, *à priori*, can have arisen. Hence, he concluded that reason entirely deluded itself with this conception, falsely considering it as its own offspring, while in fact it is nothing more than a bastard of the imagination ; which, pregnant by experience, has brought certain representations under the law of association, and substituted a sort of subjective necessity—namely, habit—for an objective one founded upon real knowledge. He concluded, therefore, that reason had no faculty to think such connexions, even generally, because its conceptions would in that case be mere fiction, and all its pretended knowledge *à priori* nothing but a false value given to common experience. In other words, that no such science as metaphysic is at all possible. However hasty and incorrect his inference was, it was grounded at least upon investigation. However, no one understood Hume's intention. His opponents—Reid, Oswald, Beattie, and Priestly,—missed the point of his question ; always admitting, as a matter of course, the very thing which he doubted, and proving with vehemence that which it never entered his mind to doubt. The question was not, whether the conception of cause be indispensable to all knowledge of nature,—this Hume never doubted,—but whether this conception be *thought by reason à priori*, and whether it possess, on that account, an internal truth independently of all experience, and

therefore a more extensive utility, not limited to objects of experience. This hint of David Hume was the circumstance that first disturbed my dogmatical (Wolfian) slumbers, and gave a new direction to my researches. I was far from listening to his inferences, which proceeded merely from his not representing to himself his problem in its whole extent, but investigating merely a part of it, the solution of which was impossible without a comprehensive view of the whole. I soon found that the idea of cause and effect is by no means the only one in which the understanding represents to itself a connexion of things *à priori*, but that the whole of metaphysic consists of nothing else. I endeavoured to ascertain their number; and having done this to my satisfaction, upon a single principle, I proceeded to the deduction of these conceptions. I now saw that they were not derived, as Hume supposed, from experience, but that they originated in the understanding itself."

These understanding conceptions (*verstandes-begriffe*) Kant made to be twelve in number, these being sub-categories of the general categories of quantity, quality, relation, and modality. We have here the whole basis of Kant's critical idealism as given in the *Kritik der reinen Vernunft*. But here we must pause, for even to make thus much wholly intelligible to the English student (and intelligent enough it is), would require a space which we can by no means afford. The above quotation occurs, in part, in the volumes before us; and it shews the main drift of the *Kritik der reinen Vernunft*. It was to ascertain the *à priori* elements of the understanding and reason; and throughout his great work, the acute though somewhat pedantic German philosopher rings perpetual changes on the above twelve categories. We do not imagine that, as our author seems to imply, if not to say, the question of human freedom was prominent in the mind of Kant when he sat down to frame his celebrated categories, suggested by Hume's one category of causation. It is true that one of his "Antinomies," in an advanced part of the *Kritik* of Reason, consists of an opposition of the "Thesis" which asserts free causes, to the "Antithesis" which denies them: but we have here little more than one illustration of Kant's doctrine of the powerlessness of reason in all cases which are not strictly within the bounds of experience. His discussion of the freedom of the will is reserved for another work, entitled Practical Reason (*Praktische Vernunft*), which Kant identifies, in fact, with moral feeling and principle, or the operation of conscience. In the attempt to expound Kant and other German philosophers, many Englishmen have no doubt failed; and we cannot promise the close student of Kant and his successors that he will find in these volumes the clue of Ariadne, by which to wend his way through the labyrinth of German metaphysics, and to conquer the formidable Minotaurs of that marvellous region of mysteries and shadows. Yet those who are willing to content them-

selves with a popular glance at these extraordinary speculations, having no time, and it may be no inclination for anything further, may here perhaps find what may in some measure gratify their curiosity. The author gives the following just statement of the peculiar characteristic of the German school:

“The German mode of philosophising is radically distinct from ours. We usually commence with analyzing mental feelings and faculties; with instituting inquiries into the *outward* manifestations of mind; and from these draw certain conclusions and inferences. Now this is a very humble and subordinate department of science in the estimation of the German. He has more lofty aspirations, and aims at doing greater things. He plunges into the deepest recesses of what he calls *himself*, his inward and living principle; and categorically demands to know the reasons why it is as it is, and why he is stimulated and goaded on to know the why and the wherefore of his own individual existence, as well as the existence of everything which surrounds him. He seizes hold of his own mind or consciousness, and compels it to submit to a peremptory interrogation and cross-examination. He does not trouble himself much about an external world, for his purpose is to dig a deep and firm foundation out of his own thinking principle. Here he seeks for the primitive truth—the *Urwahr*, or the absolutely and eternally true.”

It is so unusual to meet with a lady metaphysician, that we are tempted to introduce to our readers Lady Mary Shepherd, authoress of an “Essay on the Relation of Cause and Effect,” and also of “Essays on the Perception of an External Universe, and other subjects connected with the doctrine of Causation;” the former work being published in 1824, and the latter in 1827. We had previously heard of this lady, who has trodden in a path somewhat unbeaten by female footsteps; but not having happened to meet with her writings, we are glad of the professor’s introduction to her acquaintance. He gives her credit for having written works which, “considered as the productions of a lady,” are justly entitled to high praise. We are not sure that ladies generally feel much flattered by this somewhat left-handed commendation; but be this as it may, it appears that Lady Shepherd, actuated by the sincere conviction that the views of Hume, Reid, Stewart, and Brown, on causation, “led by an inevitable consequence to downright atheism,” endeavoured to counteract them by availing herself of the press; and Mr. Blakey thinks that the views in question did much harm in Scotland, and that Lady Shepherd did much to remedy the evil.

“Every young man who came from the universities of Scotland, attempted to show off his subtilty and academic lore, by denying that there was an real causation in the world; all was mere imagination, and a piece of gross vulgar credulity. Her ladyship’s efforts were therefore well-timed; and there is no doubt, but their influence was de-

cided in giving a considerable check to these illogical and dangerous opinions."

We confess that, with some personal knowledge of the state of things in the Scottish universities towards the close of the period referred to, we cannot but think that the effect of the alleged doctrine of causation, as here stated, is somewhat exaggerated. And as to the doctrine itself, Dr. Thomas Brown, its most luminous and detailed expounder, was unquestionably a very sincere and devout theist; and in advocating his theory of causation, he believed, no doubt, that he was merely insisting on the fact of human ignorance respecting any tie which may bind together cause and effect. For example, we know that the fluoric acid dissolves flint; we know the fact, but the *modus operandi* we know not; and so of all cases. The general propositions which Lady Mary Shepherd proposes to establish, are the following:—

"1. That objects cannot begin their own existence; 2. That like objects must have like qualities; 3. That like causes must generate like effects; 4. That objects of which we have had no experience must resemble those of which we have had experience, for that the course of nature continues uniformly the same."

We are not aware that Dr. Brown would for a moment have disputed any one of these propositions, understood with such explanations of their meaning as it appears to us must have been intended by the fair authoress. Her ladyship's talent for abstract thinking may perhaps be better illustrated by the following quotation from her essays, and this independently of any criticism of her theory. The subject is the certainty of our own existence:—

"The idea of our own independent existence is generated by observing that the compound mass we term self can exist when we do not observe it; and we have thus the idea of our own existence, in that it needs must continue to exist when unperceived, as well as during the *sensation* of it when perceived. Besides, on this subject, as on every other, it is the causes for the *constant* effects (the objects whose union shall bear out similar results), to which there is a tacit reference as the true and continued existences in nature. Now the causes for the general powers of sensation cannot be the same as those for any particular sensation, and so must be independent of each; and indeed each sensation is always *felt* as an effect, 'as beginning to be'; therefore, what we allude to as *self*, is a continued existing capacity in nature (unknown, unperceived), fitted to revive when suspended in sleep, or otherwise, and to keep up during the periods of watchfulness the powers of life and consciousness, especially those which determine the union of memory with sense. For as sensation is interrupted, and is an *effect*, the original cause must be uninterrupted; and such an uninterrupted cause as is equal to keep up the life of the body, or mass deemed our own body, and to unite it under that form with the powers of memory

and sense. Identity, therefore, has nothing to do with *sameness of particles*, but only has relation to those powers in nature (flowing from that continuous being, the God of Nature) which are capable of giving birth to that constant effect, the *sense of continuous existence*; which sense, when analyzed, is the union of the *ideas of memory* with the *impressions of present sense*. Should it be objected that the causes for such a union might be interrupted, then as these would 'begin their existences,' and would *only be effects*, the mind would go backwards till it reposed in some *uninterrupted* cause, and would consider such, and such only, as an independent capacity in nature, fitted to excite the union of memory with present sense, and as the complicate being *self*, which, when conscious, would take notice of its existence, and when unconscious (as in sound sleep), would exist *independently* of its own observations."

In conclusion, we are free to admit that, although we do not consider this work to be all that could be desired in point of execution, it is nevertheless valuable as a sort of general guide and index to the leading opinions of the most celebrated writers on psychology in all ages. What we should like to see is, a history of philosophy written in the condensed, analytical, and discriminative manner, which makes Dugald Stewart's Dissertation on this subject so truly valuable. Such a work must probably treat the subject by a *rationale* of the several schools, rather than in the chronological detail adopted in these volumes. Yet they are often deficient in detail. For instance, Plato and Aristotle are dismissed far too summarily. Their metaphysics do not occupy twenty pages of the work, independently of the notice of Aristotle's logic. The account, also, of a name so important as that of Leibnitz might have been expected to be more copious in a work of such extent: and, by the way, the author's views of the science of logic we hold to be altogether erroneous, cashiering it, as he does, altogether, in a small work published on this subject, from the domain of the exact sciences. We have not been struck with those parts of the work which contain the author's original dissertations on the "Faculties of the Mind," the "Nature of Truth," the "Sublime and Beautiful," &c. They are not characterized, as appears to us, by that high critical acumen which is required in order to redeem a history of philosophy from the irrelevancy of original discussions, and we think that the work would have been improved by their omission, and by the substitution of a more elaborate digest of the opinions of some of the principal psychologists. As it is, however, it may do something, and we hope it will, to introduce the subject further among general readers; and the high moral tone of the work renders it unexceptionable in whatever quarter it may find its way.

ART. VI.—THE PLEA OF INSANITY IN CRIMINAL CASES.*

Is there any legal test of insanity, defined by statute, or established by precedent, to guide the course of criminal justice in its dealings with every accused person alleged to be insane? To some this question may appear captious—to others, foolish; nevertheless, we put it. Has the criminal law of this country any established test of the state of mind of every accused party with reference to the crime committed? If it has, we humbly confess our ignorance of it, and admit the impertinence of our question.

Probably we shall be told that it has; that Lord Erskine established *delusion* to be the true characteristic of insanity, and that since his time delusion has been received by the courts as the test of that condition. This is positive so far as it goes; but does it fully answer the question? Is delusion so invariably a symptom of insanity that the disorder cannot be said to exist without it? Such, indeed, was Lord Erskine's opinion. He laid it down that there could be no insanity without delusion; he said, that the person, who enjoying perfect use of his senses, interprets the evidence of his senses in the common manner, has no delusion, and cannot, therefore, be insane. And Sir John Nicholl elucidated this view very clearly in the well-known case of "*Dew v. Clarke*;" he said—

"The true criterion, the true test of the absence or presence of insanity, I take to be the absence or presence of what, used in a certain sense of it, is compressible in a single term—namely, *delusion*." . . . "In the absence of anything in the nature of delusion, the supposed lunatic is, in my judgment, not properly or essentially insane."

The same opinion was also quoted approvingly by Lord Brougham, in the *Gibson* will case; and Lord Denman, in his charge to the jury in "*Regina v. Smith*," for murder, observed that—

"To say a man was irresponsible, without positive proof of any act to show that he was labouring under some *delusion*, seemed to him to be a presumption of knowledge which none but the great Creator himself could possess."

Moreover, Sir John Nicholl laid it down that mere eccentricity, or great caprice, or violence of temper, is not enough to constitute mental unsoundness; but there must be a delusion, which he defines to be "a belief of facts which no rational person would have believed." This

* Remarks on the Plea of Insanity, and on the Management of Criminal Lunatics. By Wm. Wood, M.D., Medical Officer of Bethlem Hospital.

On the Classification and Management of Criminal Lunatics. By John Charles Becknill, M.B. London, Superintendent of the Devon County Lunatic Asylum.

definition, as amended by Lord Brougham, and expressed to be "a belief of things as realities, which exist only in the imagination of the patient," may be accepted as the legal meaning of the term delusion. So far all is clear; an insane person is a person subject to a delusion, and we are told what a delusion is. But have the courts always observed this rule, and invariably refused to admit the plea of insanity unless a delusion could be proved? We find it has not been so. Although, on the one hand, in the case of Smith, convicted and executed for the unpremeditated murder of a woman, whom he met accidentally, and who was perfectly unknown to him, we have the plea of insanity indignantly rejected by Lord Denman, on the express ground that no delusion had been proved; yet, on the other hand, in the case of Ovenston, tried before Justice Maule for the premeditated murder of a man with whom he had quarrelled, and against whom he bore malice, the prisoner was acquitted on the ground of insanity, although no distinct delusion was proved. We are firmly persuaded of the justness of the verdict in the latter case; and it would be easy to cite many equally just decisions in which the plea of insanity has been admitted, although no delusion had been shown.

Furthermore, in the trial of the case "*Bainbrigge v. Bainbrigge*," Lord Campbell distinctly said, "There may be mania without delusion." Presuming that his lordship employed the term mania in its general sense, as synonymous with insanity, we would ask what proof does the law admit of this kind of insanity? For having been told that delusion is the only recognised legal test of insanity, we are anxious to know how a case of insanity, in which no delusion exists, can be proved.

Medical psychologists, since the time that Pinel wrote of *manie sans délire* have been well aware that "mania may exist uncomplicated with mental delusion" (Hoffbauer), and equally well aware that lawyers have commonly refused to listen to their evidence on this point. We are well pleased, therefore, to find Lord Campbell saying, in July, 1850, "there may be mania without delusion," notwithstanding that Lord Denman, in March, 1849, had stated such an opinion "to be a presumption of knowledge which none but the great Creator himself could possess." The expounders of the law are sometimes pleased to be jocose on the difference of opinion among medical men, and no later than last month, Lord Chancellor Truro deliberately asserted that medical witnesses invariably gave evidence in favour of the party which pays them; but we have adduced proof that difference of opinion is not confined exclusively to "those doctors;" and we, in our turn, might make merry did it not happen that the difference of opinion among chief-justices, sometimes involves the hanging of a man, and, therefore, is no joking matter. Returning to our question, we again ask what is the legal test of insanity

unaccompanied by delusion ? We believe there is no test; consequently, as there are very many cases of insanity without delusion, we repeat our assertion, that, practically speaking, the law has no test, *universally* applicable, by which to try the alleged insanity of an accused party. Dr. Bucknill, in his pamphlet, mentions that,

Lord Campbell, in a debate in the House of Lords, after alluding to his "very long and very large attention to the subject," said, "he had looked into all the cases that had occurred since Arnold's trial, 1723, and to the directions of the judges in the case of Lord Ferrers, Bellingham, Oxford, Francis, and M'Naughten, and he must be allowed to say that there was a wide difference, both in meaning and in words, in their description of the law."—*Hansard's Parliamentary Debates*, vol. lxvii., p. 92.

We have pointed out one of the differences to which Lord Campbell alludes; we proceed to point out another. At the trial of Hadfield, the presiding judge, Lord Kenyon, expressed this opinion: "If a man be in a deranged state of mind at the time of committing an act, he is not criminally answerable; the material part of the case is, whether, at the very time his mind was sane,"—*i.e.*, according to the legal definition of sanity,—"*his mind was free from any delusion.* Now, supposing that the accused is clearly proved to have laboured under some delusion at the time he committed the crime, consequently was legally insane; nay, more, suppose that it is shown 'that the act in question was the immediate unqualified offspring of the disease' (Erskine), does that exempt the accused from legal responsibility? Lord Erskine, and the majority of his contemporaries, thought it did; not so, however, our modern judges; in their answers to the questions proposed to them by the House of Lords, relative to the case of M'Naughten, they stated: 'The opinion of the judges was, that notwithstanding the party committed a wrong act while labouring under the idea he was redressing a *supposed grievance or injury*, or under the *impression* of obtaining some public or private benefit, *he was liable* to punishment.' And in answer to the question 'If a person under an insane delusion as to existing facts, commits an offence in consequence thereof, is he hereby excused?' also said, 'If the delusion *were only partial*, the party accused *was equally liable* with a person of sane mind. If the accused killed another in self-defence, he would be entitled to an acquittal; but if the crime were committed for any *supposed injury*, *he would then be liable* to the punishment awarded by the laws to his crime.' By this rule, if a man subject to a single delusion, to wit, that such a one had debauched his wife, actuated by his delusion, were to kill that person in revenge for '*the supposed injury*' he would, nevertheless, be liable to punishment, notwithstanding he had been proved insane, and his act shown to be the '*unqualified offspring of his disease.*' And if in such a case the

friends of the prisoner should set up the plea of insanity, and prove the previous existence of the delusion, they would only aggravate his position by establishing malice prepense."

Fortunately for humanity, the practice of the law does not always accord with the theory, nor do juries invariably follow the direction of the bench; and we very much doubt if twelve men could be found to convict a man of a crime which had been shown to be the "unqualified offspring" of an insane delusion.

It was, perhaps, a perception of the practical inefficacy of the law to reach that class of insane offenders which it does not exempt from punishment, which led our judges to require proof of something more than the mere existence of insanity. For they decided—and never was a legal opinion more carefully considered, or more deliberately pronounced—"that before a plea of insanity should be allowed, undoubted evidence ought to be adduced that the accused was of *diseased mind*, and that at the time he committed the act he was not *conscious of right and wrong*." Such is the view which the law takes regarding the plea of insanity, and on which it generally proceeds. We say generally, because exceptions have already occurred; for instance, the case of "*Regina v. Frost*," in which Mr. Justice Williams, in his charge to the jury, told them, "it was not merely for them to consider whether he (the prisoner) knew right from wrong, but whether he was, at the time he committed the offence, deranged or not;" thus making the mental derangement itself the ground for acquittal. The capacity of distinguishing between right and wrong being, without doubt, the received test for deciding the legal liability of an accused party, it is well to inquire into its signification. What then does the law, or what do the judges mean, by the terms right and wrong? Do they mean moral and immoral, or lawful and unlawful? Do they refer to divine or human laws? The language employed by some of the most eminent ornaments of the bench, in different cases, clearly shows that they spoke with reference to the moral law,* whilst the terms employed by the fifteen judges, in the opinion above quoted from, seem to make the law itself the standard of wrong. They said—"Every person was supposed to know what *the law* was, and *therefore* nothing could justify a wrong act, except it was clearly proved that the party did not know right from wrong." This difference of language leaves the point undecided, for there is an obvious distinction between moral wrong and legal culpability; many acts are wicked and immoral which are not illegal; while others may be illegal, though not essentially immoral.

* See the Charge of Lord Mansfield, in *Rex v. Bellingham*; and that of Lord Lyndhurst, in *Rex v. Offord*, in both of which they speak of "crime against the laws of *God and Nature*."

We will not, however, insist on this difference; for as human laws are supposed to be based in principle on the divine law—the moral law being the soul or animus of all human legislation—the greater principle necessarily comprises the lesser. Still we think it desirable that a science which sets so great a value on verbal exactitude, and attaches so much importance to technicalities, should be precise in the meaning of the language it employs, and should make it understood, that when it speaks of an act being right or wrong, it means lawful or unlawful. The legal exemption of a party from the liability to be punished for an illegal act, consists, then, of two conditions: first—an insane state of mind; second—unconsciousness of the illegality of the act. We have already shown that the sole legal test for the first of these conditions, the insanity, is capable of merely partial application. Has the law any more comprehensive or exact test of consciousness? What kind of proof does it require to show that the accused party, at the time of committing the offence, was conscious of acting against the law?

The lawyer would perhaps answer, that the law does not ask for positive proof of such consciousness, but supposes every person to know what is legal or illegal, until proof to the contrary is adduced. It is the state of unconsciousness, not that of consciousness, which it requires should be proved. But unconsciousness, being a negative condition, cannot be proved directly. By what method then, does the law investigate this condition? For the sake of clearness, we propose to conduct our argument on this head in the interrogative form. We imagine ourselves conversing with one learned in this branch of the law, and we ask him:

If an accused party is proved to have laboured under a delusion, consequently to have been legally insane, does that excuse his crime?—Certainly not; his delusion may not in any way have influenced his crime.

But in the present instance it is shown that it did, for the illegal act was committed under the immediate impulse of the delusion; does that excuse him?—Far from it; you must now prove that, at the time he committed the act, he was not conscious of its illegality.

But how is that want of consciousness to be proved?—By reference to the circumstances attendant upon the act; to the known character, and previous history of the accused; to his behaviour immediately before the committal of the act; to the violence and inconsequence of the deed itself; to the want of all ordinary motives, such as revenge, anger, or cupidity; to his conduct after the act was committed; to the absence of any precautions to elude detection or secure safety by flight.

Very good, that will do.—Nevertheless, it does not affect the immediate question proposed, nor prove the absence of consciousness; it proves the want of many motives and sentiments common to humanity, but

it does not prove any want of knowledge of the law. These circumstances are evidence as to certain conditions or states of mind, similar in character to consciousness, but not identical; for the consciousness of legal right and wrong being a definite state of mind, it follows that your accepted proof amounts only to an attempt to show the non-existence of a certain state of mind, by reference to the absence or presence of certain other states of mind, essentially different in nature, and with which it has not any immediate or necessary connexion. For having no method for *directly ascertaining* the state of a party's mind on a certain occasion with reference to a stated act, you seek to elucidate it, by inquiry into *other contemporary states of mind as evidenced by other acts*; so that your legal investigation becomes a psychological problem, and the question is brought into the domains of a special science, which is not that of the law. But the evidence or absence of design, of all ordinary motives, of pity, of remorse, of caution, of the sentiment of self-preservation, from which you deduce your conviction of the simultaneous want of legal consciousness, though no evidence *pro hac vice*, is strong evidence of an impaired condition of the mental faculties generally, and goes far to demonstrate *radical* unsoundness of mind. But this is merely coming round again to the point already established—viz. the insanity.—Yes; but it proves more than the mere existence of insanity; it demonstrates an amount of unsoundness of mind sufficient to exempt the accused party from legal responsibility.

Then you admit that it is the relative amount of insanity, not the consciousness of right and wrong, which is the real legal test of the liability of an accused party admitted to be insane?—Perhaps it is so: you are aware that the law acknowledges two specific states of insanity—partial insanity and total insanity.

It does; but does it distinguish those conditions? does it define the limit at which partial insanity passes into total?—Certainly. It was Lord Hale who first laid it down that insanity may be general, or it may be partial. "There is," says he, "a partial insanity of mind, and there is a total insanity;" and the former he says is expressed by the phrase "*quoad hoc vel illud insanire*" (1 P. C. c. 4, s. 2). Sir John Nicholl (and Hale does not differ) speaks of "partial insanity as only that which is occasionally called forth, and not that which only exists occasionally" (Brougham).

Just so: what the lawyers call partial insanity, medical men call "monomania;" meaning thereby a state of mind in which a person is uniformly irrational upon some particular subject, or group of subjects, but at the same time perfectly rational on all other matters: how does monomania or, as you term it, "partial insanity," excuse an offence?—

I have already stated that it does not, unless accompanied by a state of unconsciousness of right and wrong.

But I have demonstrated the impossibility of directly proving that particular state of mind, and shown that it can merely be made presumptive by establishing such an amount of disorder of the mind as does not accord with the legal definition of partial insanity, but renders it general insanity. Now, does general insanity excuse an offence?—Assuredly.

It seems then, touching this plea of insanity, that although the law, in theory, requires proof, first of the insanity, and secondly, that the insanity is of such a character as to destroy the capacity of understanding the legal relations of an act; yet in practice, the decision turns upon this point—is the insanity partial or general?—If shown to be only partial, it does not exonerate the accused; if general, it does.

In concluding this interrogation we ask, Who then are the fittest persons to investigate a case of alleged insanity? Common sense would select those who are engaged in the care and treatment of the insane. The law, however, holds a different opinion—it disregards medical evidence, and leaves the judgment of the matter to men, many of whom never saw a case of insanity in their lives. It certainly allows medical witnesses to be examined (yet will not always hear them), and permits them to give a general scientific opinion on some supposititious case constructed to resemble that of the prisoner at the bar, but it silences them when they attempt to give a direct opinion on the case before the court.

We fully understand the grounds on which the legal objection to medical evidence, in these cases, is raised. An opinion as to the existing state of a prisoner's mind at the time of trial, founded on personal examination, is good evidence; but an opinion founded wholly on the observation of others as to the probable state of a prisoner's mind at some antecedent period—viz., at the time when the crime was committed, is not legal evidence, and, notwithstanding it has been sometimes admitted, is commonly rejected. Unfortunately it rarely happens that a medical man has an opportunity of testifying as to the state of mind of an accused party at the precise time when the crime was committed, for he is not usually required to make his examination until the attorney for the defence is getting up his case, that is, shortly before the trial, and generally some months after the date of the offence. In this interval a great change may have taken place in the prisoner's mind. On the one hand, a person decidedly insane at the time of committing an offence may have perfectly recovered his reason; whilst another, sane when the crime was committed, may have become insane from remorse, imprisonment, and the anxiety of mind arising from his position.

Since the law requires *positive evidence* that the accused was of

diseased mind *at the time* he committed the offence, it follows that unless the medical witness can testify this from *personal observation made at the time*, his testimony has no legal value. The function of the witness is solely to relate facts; a conclusion founded on circumstances related by other witnesses, *i. e.* upon *hearsay*, not being fact, is not legal evidence, but merely opinion, which the court has a discretionary power to admit or reject. We think it excusable for us to have directed special attention to this point, on account of the false position in which medical witnesses are frequently placed by disregarding it. It is well known that our judges are kind-hearted and conscientious men, willing, on every possible occasion, to temper justice with mercy; but they have their professional prejudices, and when they refuse to listen to medical witnesses on the plea of insanity, they are actuated, not by a wish to stifle the voice of humanity, but by a predilection for established legal forms, and a jealousy of any infringement or innovation of the law of evidence.

However, now that a radical reform of the law is in agitation, and the profane hand of parliament has already meddled with the venerable structure of the law of evidence, we hope that some provision will be made to admit of medical opinions being received as evidence, even when formed solely on the sworn testimony of other witnesses, without personal knowledge of the facts. This is one of the points to which the committee appointed by the "Association of Medical Officers of Hospitals for the Insane" for suggesting amendments of the law relating to lunacy should direct its attention. We cannot see what danger or inconvenience could result from the proposed arrangement; the evidence of the medical witness would not decide the case; his opinion would go to the jury with the rest of the testimony, after having been analyzed and sifted by the judge, and the jury would estimate its value in accordance with their oath. Whatever might be the practical results of the alteration, one of its agreeable effects would be, that it would enable the medical practitioner conversant with insanity to appear in the witness-box, without having to dread the interruption of the court, and the gentle admonition, "not to take upon himself the functions of the judge and jury." In the meantime whilst waiting for this desirable change, we respectfully suggest to our judges, that they should exercise the power they possess, of staying counsel in putting an improper leading question, instead of reprimanding the medical witness for answering it.

Moreover, there is frequently a disposition on the part of the Bench, not merely to reject medical evidence on technical grounds, but also to depreciate the scientific value of such evidence. One judge (Denman) says that "doctors are in the habit of making theories," and

tells a medical witness that "his opinion had been very rashly formed." Another judge (Campbell) tells the jury, that the medical witnesses in a case "might just as well have stayed at home, and attended to their patients." Another judge (Alderson) says he will not allow any medical witness to usurp the functions both of "judge and jury;" and Lord Chancellor Truro is reported to have said, "his experience taught him there were very few cases of insanity in which any good came from the examination of medical witnesses. Their evidence sometimes adorned a case, and gave rise to very agreeable and interesting scientific discussions; but, after all, it had little or no weight with a jury."

From these expressions it would seem that medical witnesses are looked upon as *intruders* in the case, and supposed to be actuated by an inclination to busy themselves about matters with which they have no real concern. We indignantly repel an imputation so uncalled for and unjust that we are at a loss clearly to account for it. We suppose it proceeds from a supposition that every man, of sound mind himself, has an intuitive perception of the characteristics of sound mind in others, and therefore is a competent judge upon all questions concerning the integrity of the mental faculties. But is it so? is this supposition a legal fiction or a fact? For our own part we do not consider the operations of the human mind so self-evident that a critical knowledge of them can be obtained without careful study and reflection. In the class of citizens from whom juries are usually selected how few are learned in the science of the mind, or capable of analyzing the most simple mental process. We shall perhaps be told that juries have not to deal with nice metaphysical distinctions, but plain common facts; nevertheless, we think we have proved that, whatever the law on the plea of insanity may be in theory, in practice the question resolves itself into a psychological inquiry, which the jury has to decide. And, moreover, that whilst it imposes upon men unaccustomed to investigate the natural and healthy operations of the human mind the task of judging of its aberrations, it frequently seeks to deprive them of the assistance which the science of men practically conversant with the subject may be capable of affording them. Furthermore, even when the jury has decided the simple question of the insanity, it has accomplished only half its duty; the more important inquiry, the inquiry by which the law determines the culpability of the accused—viz., the amount of the insanity, remains to be undertaken.

This inquiry is altogether distinct from the preceding. The law may be of opinion that insanity *per se* is so evident, so palpable and easy of detection, as to make the recognition of it perfectly sure and simple to every sane man possessed of common understanding; consequently, that it is too obvious a matter to require scientific aid for its discovery; but

surely it does not and cannot assume that every man is by nature and intuitively a competent judge of the character, amount, and quality of the first case of insanity presented to his notice? If such be the legal assumption, why does the law (8 & 9 Victoria, cap. 100, sect. 45) intrust the responsibility of advising the confinement of insane persons *exclusively* to medical men? Does it not seem, by this very regulation, to restrict the legal competency of determining the relative amount of a person's insanity solely to members of the medical profession? It seems so to us, and we think it acts wisely in doing so. For admitting that every sane man is competent to judge of the general sanity of a party, it by no means follows that he is a competent judge of insanity. Hence the necessity of allowing the jury engaged in deciding upon a plea of insanity the assistance of professional men presumably conversant with the subject—viz., those specially occupied with the care and treatment of the insane. We will not here repeat the scientific reasons why medical psychologists should be consulted in every investigation concerning the state of a person's mind; they have frequently been discussed in the pages of this journal, and some are ably treated of in Dr. Wood's pamphlet before us. We have chosen, on the present occasion, to consider the subject in a legal point of view, and we think we have shown—1stly, that the law has no universally applicable test of insanity; 2ndly, that it has no practicable test by which it can determine the responsibility of insane persons; 3rdly, that a judicial investigation of the plea of insanity is in fact a psychological inquiry, and, as such, requires the aid of persons specially conversant with the subject. Moreover, as the law of evidence does not at present admit of this, we have suggested such a change as would meet the exigencies of the case.

In the foregoing argument it is assumed that the plea of insanity is based on sound presumptive grounds. Unfortunately, such is not always the case, for it is sometimes adopted as a sort of "forlorn hope," constructed on very slight foundations, and supported by most inconclusive evidence. With such cases we earnestly entreat our professional brethren to have nothing whatever to do; unless the medical witness is prepared (if allowed by the court) to express a very decided opinion, and can support that opinion by circumstantial reasons, it were much better for him not to appear in the case. It is not sufficient that he shall himself clearly comprehend the data upon which his own opinion is formed, but he must be able to expound those data, so as to render their nature and import comprehensible to every man of common understanding. He must carefully avoid too curious metaphysical speculations, and guard against overstraining the evidence, and against allowing his judgment to be warped by a professional bias; above all, he

should give his evidence in the most clear and simple language at his command, and in a firm and dignified manner.

We find many judicious remarks on some of the points discussed in the preceding pages, in Dr. Wood's pamphlet. He says :—

“ Medical witnesses have some fair ground of complaint, not only that their evidence is not received with the consideration to which it is entitled, but that they are sometimes forbidden to express the opinion which is the real object of their appearance in court. It is not contended that a physician is necessarily more competent to decide on the insanity of an individual than a lawyer, or any other intelligent person who has paid the same attention to the subject; it is not for a moment supposed that others, and especially those who have devoted themselves to the severer study of the law, are not quite as capable, with the same experience, of arriving at a just conclusion; but it may be fairly argued, that one who has made the ever-varying forms of mental disturbance his constant study must be more competent to weigh the evidence for and against the reality of the alleged insanity, than one who has never had such opportunities, and has been, therefore, without the means of learning practically in what insanity consists. I apprehend that the proper duty of the medical witness is to assist the court with his experience and advice to arrive at a just decision in the particular case; it is not to say what symptoms are most frequently observed in insane persons, or to deliver abstract opinions on the nature of insanity generally, but to deal with the individual case; to give the court reasons why he adopts the conclusions at which he has arrived; to state, in fact, what are the particular circumstances which have led him to form his opinion of the case; in other words, to say why he thinks the accused sane or insane, as the case may be, and then leave the jury to determine whether the reasons are sufficiently satisfactory to induce them to adopt his opinion. If this course were adopted, it could not be said that the medical witness usurped the province of the jury; he did, in fact, but assist in guiding them to a right decision; and, indeed, without this assistance, which could only be rendered by the medical witness, they would be left to form their own conclusions, with the great danger to the cause of humanity and justice of thinking more of the nature of the offence than of the probable irresponsibility of the accused. I would not be misunderstood as urging that the mere dictum of a physician, whatever his reputation or opportunities of forming an opinion, should be taken as conclusive evidence, unless he could give good grounds for the conclusions at which he had arrived; but surely he should be heard when he endeavours to explain those grounds, for it remains for the judge to point out to the jury the weak points of his evidence, the fallacies of his reasoning, and the unsoundness of his arguments. It seems, then, to be an error in the practice of our criminal courts, to restrict the medical witness from a free discussion of the merits of the case.” (pp. 22, 23, 24.)

We entirely coincide with the opinions and sentiments expressed in the foregoing quotation, but not with that contained in the following

passage. "I conceive that the humanity of medical witnesses has induced them to be content with too little direct evidence of insanity." (p. 20.)

We cannot conceive that any conscientious physician would allow his feelings to overcome so far the solemn obligation of his oath. He has no concern with the legal criminality of the act, nor with the kind or degree of punishment incurred by it; he has to testify to the state of mind of the accused—to that and to no issue beside; and if he, from any misplaced commiseration, or influenced by matters beyond the functions of his office, should pronounce an accused party to be insane, upon a weak, partial, and imperfect conviction of the insanity, he would be beyond question morally guilty of perjury of the most dangerous kind. Still, whilst unwilling to believe that a medical witness could so far forget the nature of his oath as to swear a mere suspicion or presumption for a certitude, we admit that he may sometimes commit an error of judgment, owing to the inadequate opportunities afforded him for investigating the prisoner's state of mind. As Dr. Bucknill observes—

"Generally, the physician giving evidence can at most say, that he has paid two or three visits to the accused, and conversed with him in his cell in prison; sometimes he can only say that he has observed the demeanour of the prisoner in court, and has heard the evidence of other witnesses, from which he forms his opinion. In cases of concealed delusions, or of disease affecting the propensities, no medical man ought to give an opinion on such shallow grounds. I am not ashamed to acknowledge, that I have often observed patients daily for several weeks, without being able to detect existing delusion. The plan adopted in France, of sending a supposed lunatic to an asylum, for observation before trial, meets this difficulty." (p. 36.)

But whether the opportunities for observation have been few or ample, we repeat our advice, that unless the medical man "be fully persuaded in his own mind" of the accused's insanity, he should abstain from giving evidence in the case.

Our readers are aware that the question of establishing a central asylum, appropriate to the reception of "Criminal Lunatics," in England and Wales, similar in character to the asylum at Dundrum, near Dublin, for all Ireland, has been warmly agitated during the past twelvemonth. The suggestion of the necessity for some such establishment came originally, we believe, from the Commissioners in Lunacy, who, in their fourth annual report (1849), directed the Lord Chancellor's attention to the subject.

In our last number we gave an abstract of the discussion at the late meeting of the Association of Medical Officers of Hospitals for the Insane, together with some letters and remarks from the public press

upon the same matter. Since then a letter, written by Dr. Boyd, has appeared in one of the daily papers; and now we have Drs. Wood and Bucknill treating the question with equal ability and vigour, but differing materially in their respective views. Dr. Wood proposes that the central asylum shall be called the "State Asylum," and that it shall be restricted to the reception of all criminal offenders, of every station and degree, exempted from the penalties of the law on the ground of insanity. Dr. Wood proposes that this institution shall have the character of a general, and not a pauper asylum, so as to afford superior accommodation for such of its inmates as can afford to pay for it. Dr. Bucknill, on the contrary, thinks "that a distinct institution is not necessary for the treatment of *all lunatics* in detention under warrant from the Crown or Secretary of State, generally called criminal lunatics;" but "that such an institution is desirable for the detention and treatment of lunatics of *criminal disposition*, many of whom are not criminal lunatics." (p. 7.) Dr. Wood objects to placing criminals, who have become insane after conviction, on the same footing with the other inmates of the "State Asylum;" but Dr. Bucknill would make no distinction. Moreover, Dr. Bucknill would treat all "state lunatics" as paupers, and not make any difference on account of the lunatic's means and previous position in society. On all of these points we concur with Dr. Wood. We think the name "State Lunatic Asylum" very appropriate, and the title "State Lunatic Patients"* well adapted to designate the inmates of such an establishment. We would completely separate criminals who have become insane after conviction from those who have become criminals from insanity; and we think the former would be properly styled "Insane Convicts." In common with Dr. Wood, we strongly object to the term "criminal lunatic;" a criminal who becomes insane after conviction is an "insane convict,"—i.e., a convict affected with insanity,—but an insane person cannot become criminal after his insanity is recognised.

Dr. Wood justly remarks—"The name criminal lunatic is sufficiently inappropriate to any class, for it conveys a contradiction of terms, inasmuch as the law holds that the lunatic is not criminal, and that he should always be acquitted of whatever crime he may commit as a lunatic." (p. 52.) We also agree with Dr. Wood in thinking that a difference of accommodation should be allowed to "state lunatic patients," whose friends may be willing to defray the additional expense. There is no reason why a "state lunatic patient" should be treated differently from any other lunatic of his own rank and station

* Dr. Wood proposes to call them merely "State Patients," having an objection to the word lunatic, as being founded on a vulgar error. The word is, however, so established in the language, that we see no reason to discard it.

in society. Why should a gentleman who, impelled by an insane impulse, has violated the law, be degraded from his sphere of life, and be constrained to associate with persons whose habits and language are uncongenial, and perhaps offensive, to him? Is his insanity, itself a sufficiently grievous affliction, a cause why he should be debarred from every alleviation of his unhappy state, and be exposed to daily outrage of his feelings? Certainly not: the lunatic who commits an illegal act does not thereby become a criminal, and should not be regarded as a felon, but should be taken care of, and treated with the gentleness and humanity which the insane ought invariably to receive, and allowed every reasonable indulgence consistent with his safe keeping. Dr. Bucknill has some remarks on this head which we cannot suffer to pass unchallenged. He considers that the "principles of justice" would be violated if any distinction were made in the treatment of criminal lunatics, forgetting that lunatics are irresponsible agents, and therefore not answerable to justice. Moreover, he says, "It would stamp poverty with inferiority, and deny to gentility the possibility of ever being subject to ruffianly propensities. If patients are not criminal, why confine them in a State asylum?—if they are criminal, why keep up unjust social distinctions?" (p. 5.) How came it not to strike Dr. Bucknill that patients are confined in an asylum, not because they are *criminal*, but because they are *insane*. If a person is tried for a criminal act, and acquitted on the ground of insanity, he stands absolved of all criminality, and is sent to a lunatic asylum to be taken care of as a patient, not as a criminal. We are the more surprised that Dr. Bucknill should have fallen into this error, since we find him, a few pages further on, correctly stating the real bearing of the case in these words,—“When a prisoner is found, on trial, not guilty on the plea of insanity, he is legally as free from criminality as if it had been proved that the offence charged had never been committed, or had been committed by some other person; under which supposition *no punishment* ought to be inflicted on him, beyond the *treatment* necessary for the safety of the public, and the cure or alleviation of his disease.” (p. 19.) Here, again, we differ with Dr. Bucknill. We hold that on no occasion, and under no circumstances, ought *punishment* to be inflicted upon the person of one whose insanity has been established by the verdict of a jury, and we strongly reprobate the use of the word *punishment* in connexion with the treatment of the insane, and protest against making lunatic asylums penal establishments. The insane are, or should be, subject to *discipline*; they may have habits and propensities which require *correction*; but they cannot, from the very nature of their malady, become liable to *punishment*. The word *punishment* (from the Latin *punio*, and the Greek *πεινῶ*, pain,) commu-

nicates the idea of suffering designedly inflicted, and cannot, therefore, refer to any part of the treatment of insanity. Nor is our objection at all modified by Dr. Bucknill's explanation of the meaning he attaches to the term; "I admit," he says, "that if lunatics can distinguish right from wrong they are liable to punishment, as understood in the philosophic sense of the term; correction modified to their condition, and containing no spirit of revenge, even in the most subdued and unrecognised form" (p. 31); for only in the preceding page he says—"The feeling of right and wrong, otherwise called conscience, is an innate principle of the human mind; and probably no state of disease, short of utter loss of mind, altogether destroys it" (p. 30); according to which it would seem that Dr. Bucknill considers every lunatic, not wholly demented, a fit subject for punishment. We certainly cannot acquiesce in this extreme opinion; a lunatic is to be prevented from indulging in evil habits and propensities, so far as is possible, by constant supervision, by moral influence, by seclusion, and even by restraint; but if he cannot be prevented or restrained by these means, he is not to be corrected by the infliction of pain. It was this very idea, that madness may be cured by punishment, which led to half the cruelties of the old method of treatment. Finally, in respect to criminal lunatics, it most assuredly is not the province of the medical psychologist to punish those whom the law professedly exempts from punishment.

Reverting for a moment to the question whether there should be any difference in the accommodation of patients in the "State Lunatic Asylum," we think that if such an arrangement should be considered objectionable, permission might be given to the friends of state lunatic patients of the middle or upper ranks in life to place them in private asylums. Of course the proprietor of the asylum would have to guarantee the safe custody of the patient under such penalties as the law might impose. In fact, under any circumstance, the friends of an insane person, able and willing to pay for his support, should have the option of placing him where they might think best.

One of the reasons adduced by those who advocate a separate asylum for the so-called "criminal lunatics," is that mentioned in the fifth report (1850), of the Commissioners on Lunacy: they say "it has been frequently brought under our notice that the friends and relatives of patients, and also the patients themselves, when conscious of their being associated with criminal lunatics, have considered such association as a great and unnecessary aggravation of their calamity." (Report, p. 17.) Dr. Bucknill has directed his attention to this point, and we are pleased to find that his conclusions do not tally with those of the commissioner. We are of opinion, that even in those cases in which

so uncharitable a feeling can be shown to exist, it may rightly be attributed to a prejudice derived from the cruel inconsistency of the law, which brands the insane offender with the name of criminal, and practically treats him as one, after formally absolving him of his crime. The following is Dr. Bucknill's testimony. To the question "Whether the dislike to the society of criminal lunatics ascribed to other patients and their friends, exists generally, or only in those cases which have been brought under the notice of the commissioners?" he answers:

"My own experience is in direct opposition to that which has been recorded by several of my professional brethren. I have carefully watched to detect any repugnance or unfriendly feeling among the inmates of this establishment (the Devon County Asylum) towards their fellow patients who were known to have committed offences against the laws, and have not only failed to do so, but have heard expressions of sympathy and pity. The case of No. 12 excited much interest and discussion in the wards, and the poor woman, who is now at large, has reason to contrast most favourably the treatment she received from her fellow patients with that she has met with from her sane neighbours since her discharge. The insane, while they are unable to appreciate their own mental condition, are keen observers with regard to others, and they excuse an offence, the evident result of insanity, as it is excused by law and the common consent of mankind." (p. 17.)

The case above referred to is related by Dr. Bucknill in an appendix.

"An artizan's wife; married below her position in life, and was exposed to much family discord and very straitened circumstances. Her friends and elder children observed that she was becoming strange; and one morning, having been *without food* nearly the whole day, she induced her three younger children to go out with her for a walk, and threw them into the canal; two were drowned. She remained in gaol for some time, but was not put on her trial, because she was too ill to plead to the indictment. On removal to the asylum, she was in a very precarious state from bodily illness, had an idea that she was brought from a nobleman's house, and was quite unconscious of the destruction of her children. She soon recovered health of body, and appeared to be of sane mind, although her memory for recent occurrences was a blank. At the ensuing assizes an attempt was made to put her on her trial, but as no notice had been given that such a step would be taken, she had been allowed to remain in ignorance of the death of her children and of her own position. When this was communicated to her, in order that she might plead, it produced so much mental agony that the court determined not to proceed with her case. At the end of six months she was again put on her trial, and acquitted because no evidence was offered. In the asylum she was industrious, and although unamiable, was harmless and quiet. Since her liberation she has been engaged in many quarrels with her neighbours, who have taunted her with her misfortunes, and she has even been obliged to seek the protection of the bench of magistrates on this account." (p. 49.)

There can be no doubt about the state of mind of this poor creature when she committed the murder; she was evidently labouring under delirium caused by starvation.

One of the grounds on which Dr. Bucknill advocates the construction of a distinct asylum for state lunatics is the defective and unsatisfactory arrangement for their accommodation at Bethlem Hospital. He feelingly remarks on the bare and desolate aspect of the wards appropriated to their use in that institution (than which anything more prison-like can hardly be conceived), and shows, not only on humane, but also on economic grounds, that some new arrangement is desirable.

"In the past month the number of male patients in this place was 92, of whom 36 were convicts; the number of females was 19, of whom 4 were convicts. On account of these 111 criminal lunatics, the hospital is repaid by the government about 3500*l.* per annum, being at the rate of 31*l.* 10*s.* 7*d.* each per annum. This sum is made up by the wages of seven male and two female attendants, with an allowance of 35*l.* per annum to each attendant for maintenance and clothing, 25*l.* per annum for each patient, and 200*l.* per annum for salaries to medical and other officers. During the last year the actual cost for maintenance and treatment of pauper lunatics in the county asylums for Middlesex and Surrey, was 7*s.* 6*d.* a week, or 19*l.* 10*s.* each, which, deducted from 31*l.* 10*s.* 7*d.*, would leave 12*l.* 0*s.* 7*d.* as the actual rent for the use of the building paid for each criminal lunatic in Bethlem. Few asylums have cost so much as 200*l.* a bed, and this, when building was much dearer than at present. As Government can borrow money at three per cent., and keep a building in repair for one-half per cent. more, state lunatics could, even on this estimate, be lodged in a new asylum, with the best accommodation, at an annual rental of 7*l.* each, while 12*l.* is at the present time given for the worst. I am not aware that anything can be said in favour of maintaining the arrangement existing between government and the authorities of Bethlem Hospital, and when this is concluded, a new establishment must be provided." (pp. 24, 25.)

We now pass to those important portions of the pamphlets before us, in which the respective authors treat of the comparative responsibility of the insane. We have explained above that the law recognises two species of insanity, partial insanity and total insanity; of which, total insanity alone exempts from legal responsibility, partial insanity being no excuse, nor even a plea in mitigation of punishment. Between these two conditions, entire responsibility and complete exemption, the law admits no intermediate state.

We quote at length Dr. Wood's remark on this deficiency, and his proposal for remedying it—

"Unquestionably the great defect of our criminal code is this, that different degrees of guilt are not recognised, and the magnitude of the

defect is particularly felt in those cases where the plea of insanity is urged as an excuse for crime. We either allow this to the fullest extent, and nominally acquit the accused, or we reject it altogether, and impose the full penalty. * * * If we were to recognise as a principle the different degrees of insanity, and, as our neighbours do, the different degrees of moral guilt, the difficulty would be at once removed; we should not be left to the alternative of the full punishment or the absolute acquittal; the medical evidence would be received with more consideration than it at present obtains, for it would not be limited strictly to the question of sanity or insanity, but to the degree which had been really manifested by the accused; a less amount of responsibility would devolve upon the medical witness than at present, and the court could therefore afford to receive his evidence with less jealousy and caution.

"According to the present system, where there is no middle course between the two extremes, the fate of the accused is really in the hands of the jury, as it ought to be. But the judges have seen and have endeavoured to remedy the defect by restraining the medical witness from entering fully into his views of the matter, lest he should prejudice the case too much in the minds of the jury; the effect of this must be to leave the jury without that information which it is impossible for them to get from any other source. We can scarcely wonder that any single individual should shrink from the appalling responsibility of declaring an alleged lunatic sane, when he knows that such an opinion was a death-warrant to the accused; nor can we wonder that the judges should endeavour to impose this responsibility on the jury.

"If our law allowed the jury to declare a verdict of 'GUILTY, WITH EXTENUATING CIRCUMSTANCES,' in the first or second degree, all those doubtful cases which now attest the imperfection of our system would be properly dealt with; a degree of punishment or restriction would be imposed in exact proportion to the degree of moral guilt, modified by the mental condition of the accused, and there would then be no objection to hearing all that a medical witness could say for the defence, whilst he would have less hesitation in declaring the criminal sane, if the circumstances of the case tended to that conclusion; he would be relieved of all responsibility as to the fate of the accused, if there yet remained with the jury the power of averting the extreme sentence, by appending to their verdict of guilty that there were extenuating circumstances." (pp. 45, 46, 47.)

We will next quote Dr. Bucknill's observations on the same subject:—

"In cases of murder our law permits juries to bring in a verdict of guilty or not guilty only; and if the former, no course is open to the judge except that of passing sentence of death. Until some middle way is devised by which offenders, neither altogether innocent nor altogether guilty, can have their proper meed of correction, juries, in cases of murder, will continue to find verdicts of not guilty on the false plea of insanity. As the power to attemper justice with mercy is accorded to neither judge nor jury, the latter seize the only opportunity to ensure mercy, and leave justice to take care of itself. In some other countries

where trial by jury is established, some greater latitude is permitted in recording a verdict than in our own. In France a verdict of guilty, with extenuating circumstances, and in the Channel Islands, a verdict of 'more guilty than innocent' are permitted. I would not advocate any extension of power to juries, but I do think that discretion in awarding punishment for murder ought to be vested in the hands of our judges. They possess it for other crimes—thus, for manslaughter, they sentence one criminal to one month's imprisonment and another to transportation for life, according to the character of the particular offence, and the existence or not of extenuating circumstances. If our judicial authorities possessed this discretionary power, a state asylum for the detention and correction of lunatics of criminal disposition would provide the means for the exercise of it when murder was extenuated by partial insanity. At present, society may either be shocked by the execution of a madman, or it may be endangered by his acquittal. It is true that when a man is acquitted of a murder on the plea of insanity he does not, except in rare instances, obtain his liberty; the law steps in and detains him during the Queen's pleasure, which usually means for the term of his natural life. When the plea of insanity has been false, this detention can only be considered as punishment under the guise of a legal fiction. Surely it would be more wise to make arrangements by which suitable correction could be ensured in an honest straightforward manner, than to force juries to acquit, and then to say to the man, late a prisoner, and now a patient, 'You shall not escape; sane or insane the law shall have it out of you; imprisonment for life is your lot, whatever may be the state of your mind.' " (pp. 33, 34, 35.)

These extracts show that the authors, whilst equally condemning the present inflexibility of the law with respect to the plea of insanity, are not quite agreed as to the method of amending it. Dr. Wood would authorize the jury to extenuate the crime. Dr. Bucknill would allow the judge to mitigate the punishment. The practical result of the two proposals would be identical, but the form of the latter is more in harmony with the structure of the legal procedure in criminal inquiries. In our Constitution, the Sovereign is the sole fountain of mercy and clemency, and the only authority in the state possessed of power to arrest or divert the course of justice; consequently, the judge, being the representative of the sovereign, is rightly allowed to exercise, within certain limits, a personal discretion in fixing the amount of a culprit's punishment. On this ground we are opposed to the change advised by Dr. Wood. Moreover, we have paid some attention to the administration of criminal justice in France, and we are convinced that the rule which permits the jury to return a verdict of "guilty with extenuating circumstances," counteracts the main purpose of criminal justice, which is the suppression of offences by the penal correction of offenders. Since the publication of Beccaria's celebrated treatise, legists are almost unanimously agreed that the efficiency of penal codes in the prevention

of crime, depends not so much on the relative severity as on the certainty of punishment. On this account the French process is strongly objectionable, for the verdict of "guilty with extenuating circumstances" is destructive of all certainty and uniformity in the administration of the criminal law. It is frequently a difficult matter to guess at the probable motive which induces a French jury to discover "extenuating circumstances." In a terrible case, that of the friar Léotaud, tried at Toulouse, in 1848, for the murder of a young girl after violating her, a verdict of "guilty with extenuating circumstances" was returned, although the only plea for extenuation that could possibly arise out of the case was the vow of chastity of the accused. And in the case of Madame Laffarge "the extenuating circumstances" were a disagreeable husband and an agreeable lover.

But whilst deprecating the introduction of a new principle in the administration of criminal justice in this country, we see no objection to the further extension of an old established form. The law of England, although it restricts the exercise of mercy to the judge, yet allows the jury to supplicate that mercy in the form of a recommendation, which, if based on circumstantial grounds, always receives due consideration from the court, and often materially influences the sentence. The ground on which the recommendation to mercy is preferred is not always stated by the jury, but sometimes it is, and sometimes it is demanded by the judge. Now, we propose to make it compulsory for the jury always to assign the motives of a recommendation to mercy. If such a rule obtained, what more valid motive could a jury adduce than that of a doubt respecting the perfect sanity of the prisoner? Cases are continually occurring in which the evidence, though insufficient to warrant an acquittal on the ground of insanity, is conclusive as to the existence of such an amount of mental derangement as should serve to extenuate the prisoner's guilt and mitigate his punishment.

When the unsoundness of mind is found to amount to what the law terms total insanity we would retain the present form of verdict; but in those cases of doubtful character, in which proof of some previous attack of insanity, or habitual eccentricity, or recent change of sentiment and conduct, not amounting to evidence of positive lunacy, and having no immediate connexion with the crime, yet sufficient to suggest the suspicion of so much mental unsoundness as would tend to impair the will, obscure the judgment, and preclude a full, clear, and just apprehension of the criminality of an offence; in such cases we would authorize the jury to return a verdict of guilty, with a recommendation to mercy on the ground of presumable insanity. In this manner the law would be provided with a suitable finding for each of the two

degrees of mental derangement which it recognises :—" *Guilty ; but recommended to mercy on the ground of presumable insanity,*" would be the appropriate verdict for all cases of that kind of insanity which the law calls partial, and "*Acquitted on the ground of insanity,*" would, as heretofore, be the verdict in all cases of total or general insanity. The judge would have to decide on the propriety of the recommendation to mercy, and would regulate his sentence accordingly : if he agreed with the jury, he would probably defer sentence so as to afford time for a further inquiry into the state of the prisoner's mind ; if, on the contrary, he differed in opinion with the jury, he would proceed to pass sentence immediately.

We have never advocated the doctrine that simple aberration of mind, irrespective of its quality or degree, is a sufficient reason for entire exemption from legal responsibility, but we have always considered it a valid reason for a mitigation of punishment. In our remarks on the trial of Robert Pate, we said*—" In every criminal case where the question of responsibility arises in the course of judicial inquiry, if it be possible to establish any degree of positive insanity, it should always be received as a valid plea for a considerable *mitigation of punishment*, and as a *prima facie* evidence in favour of the prisoner, and in no case where insanity clearly exists (without regard to its nature and account) ought the extreme penalty of the law to be inflicted." In its present state, the law permits no discrimination, for so far as punishment is concerned, it takes no account of the degree of insanity, and recognises no intermediate condition between perfect sanity and total insanity ; but the change we have proposed would satisfy the necessities of the case, and render the law more consonant with the enlarged humanity and progressive enlightenment of the age.

We were desirous of discussing other points arising out of the contents of these two pamphlets, but our limits forbid ; and we have space only to thank the respective authors for much interesting information and many valuable suggestions.

* Psychological Journal, vol. iii. p. 456.

Original Communications.

ADDITIONAL NOTES ON PROVINCIAL ASYLUMS FOR THE INSANE IN FRANCE; WITH A BRIEF NOTICE OF THE INSTI- TUTION AT ILLNAU, IN THE GRAND DUCHY OF BADEN.

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THE complimentary criticisms contained in different medical periodicals, regarding my previous notes on French provincial asylums for the insane, which were published in the xii. and xiii. numbers of Dr. Winslow's "*Psychological Journal*," induced me again to go abroad during the recent autumn, in order to extend my observations respecting foreign lunatic institutions.

Accordingly, towards the end of last August, after resuming my portfolio and travelling portmanteau, I left London for the continent, with the special object of visiting various establishments of repute, in the north and north-eastern departments of France, seeing my former remarks only referred to those situated in the central and western provinces. Considering it now superfluous again to resume such subjects, after having already discussed, at considerable length, several points connected with the laws of lunacy, and the administration in French departmental asylums, I therefore refrain from investigating similar questions at present, but proceed at once to describe the institution first inspected, namely,—

ARMENTIÈRES.

This asylum was formerly a religious institution, having been founded by an ecclesiastical society denominated "St. Jean de Dieu." For many years it has received insane patients within its walls, and is now appropriated for the treatment of male lunatics chiefly belonging to the department of the North. The institution is situated in the small manufacturing town of Armentières, about ten miles north-west of Lille, and not far from the railway leading to Calais. The buildings are rather old, and, although the adjacent gardens of the establishment are extensive, from being in the middle of a town having a population of at least 7000 inhabitants, the situation is not well chosen. Besides, as the portion occupied by inmates is surrounded by houses on three sides, whilst the main entrance and principal front form one side of the High-street, many of the objections inherent with position never can be corrected. Various alterations are, however, in progress within the interior; and, when the new wing is added to the building, which the authorities at present contemplate, some of the existing defects will be remedied to a certain extent, besides affording accommodation for upwards of 100 additional patients. This addition must prove a great improvement, and will relieve considerably the overcrowded state of the dormitories, which has become much augmented in consequence of various arrivals from Bicêtre; nearly 200 male lunatics having been recently transferred to Armentières from the former hospice, which was then overstocked with insane residents.

At the period of my visit, the number of lunatics in Armentières amounted to 496, all of whom were male patients, as the institution is exclusively appropriated for inmates of that sex; whilst females afflicted with mental disease are received into another departmental establishment, situated in the city of Lille. By this arrangement, the two sexes are kept entirely separate, and in distinct

asylums maintained for their treatment. Amongst the 496 insane inmates now resident 40 were private patients, placed by relations or friends, who pay for their board and lodging sums varying from 400 to 1000 francs annually. In regard, however, to indigent lunatics, if they belong to the north department, the particular commune from whence the patient comes pays one franc per diem; but if the party is chargeable to any other department, one franc and twenty centimes are then demanded; whilst in the case of military patients, one franc and twenty-five centimes are allowed by the war minister for each individual. According to information kindly supplied at my request, the actual insane population of the asylum comprised 234 inmates considered wholly incurable, 75 laboured under paralysis, and 80 were classed as dirty patients; thereby leaving only 107 lunatics who exhibited any prospect of future convalescence. These statistical statements deserve notice, seeing they clearly indicate the serious nature of the maladies affecting a large proportion of the patients, if not the improbability of ever being able to effect any improvement in their mental condition.

The only official medical attendant of this extensive lunatic institution is Dr. Butin, a practitioner of much experience, and who has been attached to the establishment during many years. He resides in the asylum, but is not, as I understood, altogether debarred from private practice. There are no internes; consequently, when the physician is necessarily absent, it may happen that medical aid cannot be easily obtained at the moment required, which, in my estimation, is a defect in the organization of this, and of all similarly-officered establishments designed for the reception and treatment of lunatics.

When accompanying the physician during his morning visit to the different wards, the health of residents appeared, upon the whole, generally satisfactory. Several patients were, however, then in the infirmary, labouring under physical disease; one of whom was especially pointed out for my observation, being affected with tetanus of five days continuance. In this afflicted lunatic the symptoms seemed severe; he was wholly unable to open his mouth, and hence could only take liquids; the muscles of the neck were rigid, as also those of the body and limbs; indeed, the case appeared altogether of a most unfavourable description. Apparently, this severe malady was produced by exposure to cold during night-time, as the patient had been found lying under his bed quite naked, a few mornings before its commencement, when the temperature was low, whilst the lunatic also seemed at the time very far from being otherwise in robust health. At first, opium and camphor were prescribed, but apparently without benefit. Ether, which had been administered during the preceding twenty-four hours, apparently produced some alleviation of the symptoms; but, although slight, the effect seemed sufficient to encourage a continuance of that remedy; nevertheless, the ultimate termination remained very precarious; and, in reply to Dr. Butin, who politely asked my opinion, I feared the patient would not recover. After describing the history and treatment of this case, Dr. Butin also mentioned that he had met with other instances of the same malady—both traumatic and idiopathic—in the adjoining districts of France; which facts are remarkable, seeing this severe spasmodic disease prevails much less frequently in the cold and northern parts of Europe, than throughout warmer regions; for instance, in Italy, or even in the southern departments of this country.

Attaching great importance to the circumstance, whether personal coercion is usually employed, by the camisole or otherwise, at particular institutions, during the treatment of insane patients; and further, considering the extent to which such a system may be carried, always furnishes an instructive criterion of the principles actuating the professional authorities in attendance, I therefore, both here as elsewhere, made particular inquiries respecting the number of persons under any form of restraint at the period of my visit to any asylum. When making these investigations, I invariably endeavoured to obtain exact

information regarding such an important subject; consequently, the various numbers recorded, in subsequent as in my previous notes, when discussing this question, do not exaggerate the amount of restraint employed in any institution, seeing only those cases which were personally observed are enumerated. Additional instances of the kind may, perhaps, have escaped my observation, which should have come within that category; but believing none existed, the various statements made throughout subsequent pages, in reference to the employment of mechanical coercion, ought therefore to be received as accurate.

The above preliminary observations respecting restraint in French lunatic asylums have now been made, to show that a constant desire prevailed, on my part, to be an impartial recorder of facts, whereby opinions enunciated, or the inferences other investigators might feel disposed to deduce, will be based upon authentic data obtained on the spot, and stated on my responsibility. Trusting these remarks may be kept in remembrance, when recurring to the subject of personal coercion in future pages, I would briefly observe:—On the morning of my visit to the Armentières institution, fifteen insane patients were confined by camisole, three of whom being likewise tied to the table at which they sat; one having, besides, a wire mask on his face, similar to the apparatus usually worn by fencers. The maniac thus accoutred was reported very violent, and often dangerous to other inmates; consequently, this machine was applied to prevent him inflicting injury either upon attendants or patients, as also from tearing his clothes, or eating objectionable substances.

During the year 1850, the movement of patients at this insane asylum was reported as follows;—admitted, 123; discharged cured, 29; died, 58.

Including the 464 inmates remaining under treatment on the 1st of January, 1850, with the 123 new cases admitted during the year, it was stated, in reply to my inquiries, that the aggregate 587 patients under treatment were classified into the five following divisions, according to the form of their particular mental maladies:—viz., 1—of mania, there were 228 cases; 2—dementia, 150 cases; 3—idiocy, 84 cases; 4—lypomania, 65 cases; and 5—monomania, 60 cases. But it should be added, that among the lunatics thus enumerated, 51 individuals were also reported as epileptics. From these statements, the reader may perceive, a large proportion of the patients at Armentières were either incurables, or offered very little prospect of subsequent recovery; which remark applies to many of the departmental asylums in France, as also to various county establishments for lunatics in England.

Cholera having occurred in numerous French asylums during the year 1849, when it prevailed epidemically on the continent and in London, I therefore considered it useful to mention, in my former notes, whether this disease had attacked the inmates of any of the institutions then visited. Influenced by similar reasons, I made inquiry respecting this point, during my more recent excursion, in order that the additional facts so collected might still further illustrate the progress of this severe malady, which sometimes prevailed like a pestilence. At Armentières, cholera proved exceedingly fatal during its invasion in 1849, when seventy-two patients lost their lives by that scourge, amongst a total mortality of 117 persons. Respecting the above visitation, it is also instructive to state, that forty of the seventy-two deaths took place during September; fifteen cases being reported in the first week, seven on the 8th of that month, four on the 9th, and seven on the 10th; whilst the remaining seven deaths by the same cause occurred at longer intervals. It thus appears, twenty-two deaths were reported during the first eight days of September; which fact becomes more worthy of notice, seeing the data now detailed exhibit a remarkable coincidence in respect of the period when the cholera prevailed in this asylum and at London, where it likewise proved fatal in a much higher ratio, during the first week of September, than at any

other period of the entire season. It is, besides, important to remark, at the time this epidemic proved so destructive to the insane, it was equally lethal amongst the inhabitants of Armentières, where, during the season cholera prevailed, more than 500 persons are said to have died from that cause, exclusive of the seventy-two deaths reported amongst the lunatics. The malady seemed like a plague, and devastated the locality so much, that forty funerals were stated to have actually taken place in the town on one day. The fact of 500 deaths by the epidemic having occurred in a population of 7000 persons, shows the fourteenth part of the whole inhabitants were swept away by the disease in question; whilst the proportion of deaths in the asylum was double that of the town, or nearly one-sixth of all the lunatics then resident.

Although no farm is attached to this institution, the gardens adjoining afford means for employing some of the inmates in out-door work. In addition to such occupations, small gangs of patients, under the charge of attendants, are also permitted to labour in the fields belonging to townspeople; from whence they always return to dine in the asylum, but again resume work in the afternoon. For this employment, each patient receives a gratuity of 25 centimes per day, which is appropriated to form a fund for after benefits, or occasionally to augment their present comforts. Various inmates are likewise allowed to leave the asylum, under similar regulations, to work for persons in town, some as masons, and others to dig the foundations of new houses now in course of construction. This privilege is appreciated by the poor lunatics, and seems to be beneficial. Within doors, a few patients were, at the period of my visit, occupied in filling bobbins and other employments; but, speaking from personal observation, the labour system does not appear to be carried forward so zealously in this establishment, as I have witnessed elsewhere; and it seemed as if the means for employing patients were scanty, notwithstanding the desire no doubt existed.

All the patients were clothed alike, which system I consider defective in some respects, although rather common in French departmental asylums. Similarity of costume is too monotonous, and looks uninteresting; whilst a little variety, even in the colours of the materials employed as clothing, would prove advantageous by attracting the attention of inmates. But there is so much uniformity, military discipline, and similar outward formalities in the habits, or the ordinary occupations of every day life, amongst the inhabitants of France, that customs which may appear, to strangers from another country, influential in regard to the effects they produce, to natives seem often of so trifling importance as scarcely to merit observation.

The food supplied to the inmates was good, the bread used throughout the establishment being all of the same quality; which did not prevail some years ago, when the indigent patients received an inferior kind from the pensioners, whereby complaints on their part were frequent. These have now been entirely obviated, by distributing to every patient bread of the same description.

Although this asylum cannot be compared with many others in France, relative to the accommodation it affords to inmates, nevertheless, the recently constructed dormitories, and some of the old apartments, which have been improved by altering the interior, and making better ventilation, appeared well adapted for the purposes proposed; and as soon as the new wings now projected are finally constructed, the present conveniences will be further extended. In consequence of the large number of patients under treatment, the wards were rather crowded, still, every effort is made to remedy the attendant inconveniences; and although many of the sleeping-rooms cannot be compared with the same kind of apartments in new asylums, they are, nevertheless, of a fair description. Formerly, the beds were all of wood; but these are now being replaced, throughout the entire establishment, by iron of a good and improved construction. The ancient cells for confining excited and dangerous

maniacs, were horrible dens, but they are no longer occupied; the new apartments at present used for that purpose being much better constructed, although inferior, in many respects, to those I have seen elsewhere.

During my survey of this institution, the inmates of the various divisions appeared quiet, and conducted themselves in an orderly manner, when the physician made his morning visit. Whilst performing this important duty, all the patients able to attend were arranged in a line, under the trees of their respective court-yards, or in the open galleries which surround these enclosures. In this manner, every individual was seen and questioned without difficulty, or loss of time; besides which, the necessity of each patient keeping his proper position, and of exercising some self-control over his movements, during the physician's professional inspection, doubtless proved beneficial. Those inmates unable to attend this military-like examination, or who laboured under physical disease, being subsequently visited by Dr. Butin in their different dormitories, or at the infirmary.

Amongst the inmates pointed out to my notice, during this visit, one deserves mention, on account of being the individual whose case was described, and a representation of his features given, many years ago, by Esquirol, in that author's publication, "*Des Maladies Mentales*." The patient now alluded to is "Aba," described as an example of idiocy, at page 318 of the above work, whilst his portrait forms plate 22 of the accompanying atlas. As this case is well known to the profession, it hence appeared more interesting. Aba was formerly an inmate of Bicêtre, but he has for some time resided at Armentières; and although now an old man—quite idiotic—he still retains some resemblance to the original likeness given by Esquirol.

Several pellagrose lunatics were likewise observed in the asylum; thus showing that the above affection, so common in Italy, and also occasionally in some districts of France, is not unknown in the northern departments. Besides other patients deserving notice, one particularly attracted my attention from delivering three letters to Dr. Butin, to whom he made a profound salute on his approach, and after requesting they might be forwarded to their different destinations, he retired with another obeisance. This poor maniac believed he was the "Grand Seigneur," and often wrote letters to great personages, from imagining he had frequent important political relations with different European sovereigns. The missives now delivered were addressed, respectively, to the "Minister of War of the French *Imperial* republic," "to the Attorney-General of the *Imperial* republic," and the third had for superscription, "To the High Préfet of Dublin, in Ireland." Subsequently, I spoke to this crazy grand seigneur, who assumed an air of dignity, when he formally presented me with a piece of paper, the size of a calling-card, upon which were written his various assumed titles; and as he seemed satisfied with the reply made, that the several communications would be duly forwarded, we left him in apparent good humour.

Like many other asylums in France, the quantity of water supplied is defective at this institution, even for necessary purposes; at least, it would be so considered according to the opinions usually entertained by Englishmen, who very generally think so necessary an element, in all public establishments, especially receptacles for the insane, cannot be too abundant. In consequence of this deficiency, water-closets are unknown; whereby, the portable substitutes require removal every morning, which entails much additional labour on the attendants, besides being by no means salubrious. But custom familiarizes many objectionable practices; and as the system now alluded to is nearly universal, throughout all hospitals and asylums on the continent, it excites less attention than it would in England. However, this seems no argument in favour of present habits; on the contrary, both reason as well as health point in another direction, and indicate the necessity of constantly having a plentiful supply of so necessary an article as water in every public institution.

Although the managing authorities of the Armentières lunatic asylum are anxious to improve its capabilities, and to correct the various defects inherent to all buildings, not originally intended for the reception of insane patients; nevertheless, being situated in the middle of a town having a considerable population, with streets or houses on almost every side, whilst some of the court-yards are only prevented from being overlooked from neighbouring thoroughfares by dead walls, which impede the view, and the institution being only open on one side towards the country, where the gardens adjoin, few situations could be more objectionable. Instead of constructing additional wards, or of endeavouring to improve the present dormitories, it would be much more judicious, and certainly far better adapted than for the treatment of patients labouring under mental disease, were the destination of this establishment altered to a barrack, workhouse, or prison. In that case, a new and properly arranged institution might be constructed in a better locality, which would be worthy of so rich and important a department as that of the North, besides being conformable to modern advanced civilization.

LILLE ASYLUM.

The building now known under the above designation was formerly a convent, which, at even a very early period, received lunatics within its walls; although, for some time past, the establishment has been exclusively appropriated for the reception of insane female patients. This institution is situated in the city of Lille, quite close to the new station of the Northern Railroad. Being surrounded by houses in every direction, and having very crowded streets on three sides, the situation is very noisy, and most inappropriate for an asylum, especially as the great thoroughfares leading to the railway pass under its windows. If the position was bad formerly, it has become much more objectionable, since the Paris and Lille railway has engrossed the chief traffic betwixt the French capital, England, Belgium, and the north of Europe. Indeed, a worse site for a madhouse could not be anywhere selected. Either the railway station must be closed, or the asylum removed to another locality. Which of these contingencies will happen, it is easy to foretell.

Internally, the arrangements are exceedingly defective; and it could not be otherwise, considering the period when the building was constructed, as also its original destination. The entire structure seems more adapted for a prison than a lunatic asylum; whilst the central court-yard, used by patients as an airing-ground, being of limited extent, and surrounded by high walls, or overlooked from the interior windows, is utterly incompatible with the purposes required in such an establishment, particularly with so numerous a population. Besides, as the space never can be enlarged, and any improvement appears nearly impossible, the case is almost hopeless.

As previously stated, none but female lunatics can be admitted into this asylum; and only those belonging to the north department are received as indigent patients. At the period of my visit, the total number of insane residents amounted to 335; of whom only 60 were classed as curable patients; whilst 5 were paralytics, and 17 epileptics; the remaining 253 being all incurables. Dr. Gosselet, a gentleman animated by great zeal for his profession, and of considerable attainments, is the only medical officer attached to this asylum, but he has neither assistants nor internes. In addition to this feature in the medical staff, owing to the limited accommodation within the institution, and its numerous inmates, the present physician resides at a private house in an adjoining street, which must consequently prove very inconvenient to all parties. However, as Dr. Gosselet gives his whole time and attention to professional duties at the establishment, whilst he frequently visits particular cases twice,

or even three times a-day, when necessary, the inmates never remain without sufficient medical attendance.

During 1850, the following statement, kindly furnished, shows the movement of patients for that year:—Admitted, 84; discharged, cured, 16; died, 25. Amongst the deaths recorded, 10, or two-fifths, occurred in the months of January and December, being the cold season. Again, of the whole 25 fatal cases, 13 died from diseases of the brain or its appendages; 7 by pectoral affections; and 4 from abdominal complaints; whilst the remaining death was a suicide by strangulation. Unlike various public lunatic establishments in France, cholera did not attack any resident in the Lille asylum, either during 1832 or 1849; which facts become more remarkable, seeing that the epidemic prevailed in this district, especially at Armentières, as mentioned in a previous paragraph.

Notwithstanding the inmates seen in most of the dormitories were rather tranquil throughout, particularly if contrasted with female lunatics usually resident in French asylums; nevertheless, those occupying the agitated division were very noisy and excited. Amongst the 335 insane patients under treatment, 28 individuals were restrained by camisoles, on the morning of my visit to the institution; of whom, 25 were actually congregated together in one apartment, all being the worst and most violent cases in the establishment. Many of these afflicted human beings were likewise strapped to the seats they occupied, in order to prevent contact with others in the vicinity; whilst some were likewise attached by cords to the walls of the room, behind the wooden benches they sat upon; and further, one woman had her feet also tied together. The noise, screaming, and agitation of so many furious female maniacs, all confined in the same, but not very spacious apartment, were really harrowing to the feelings, and certainly, the visit paid to this division constituted one of the most painful spectacles I have ever witnessed.

In extenuation of the numerous examples of personal coercion, now recorded at the Lille asylum, it should be mentioned that, the strait-waistcoat is at present much less frequently employed than formerly. For instance, about three years ago, when Dr. Gossclot was first appointed physician to this institution, the average number of persons usually in camisoles ranged about sixty per day; although the aggregate amount of resident lunatics was then less than at present. Notwithstanding every effort is now made, both by the physician and attendants, to avoid restraint, it becomes often very difficult to eradicate a bad system once established; especially if supported by usage, and in so confined a locality as the Lille asylum. However, the number of cases in camisoles is occasionally less than the amount now reported: in proof of which, it was stated that, on the day previous to my visit, the total patients so coerced were only sixteen throughout the entire establishment. Still, the above ratio is enormous; and therefore, Dr. Gossclot must not relax in his efforts to extend the non-restraint system, whenever possible.

Formerly, a great many cells, or more correctly speaking, dungeons, were in constant use, at this asylum, for confining dangerous or refractory maniacs. Most of these symbols of a barbarous age are at present entirely closed, or converted to other purposes; with the exception of nine, which are still occasionally occupied, when the seclusion of a patient is considered advisable. But these apartments are now in a very different condition, compared with ancient arrangements. The prison-like iron bars on the windows have been removed; and instead of the antiquated wooden beds, like cages, into which an excited lunatic was sometimes thrown, and there kept, as wild animals often are in a menagerie, modern iron bedsteads of an excellent construction have been substituted. In short, the existing cells are merely small rooms, each for the reception of one patient. It should be likewise stated that the above apartments adjoin the dormitories, and are quite different from those observed at Bon Sauveur, described in my former

notes. Further, many of the old cells have been taken down, and made into large sleeping rooms, in order to augment the available accommodation; as there are always a number of applicants waiting for admission, although the asylum is even now overcrowded with inmates.

Constant endeavours are made by the physician, and director, M. De Lussatz, —both most zealous in the cause—to employ the lunatics in some kind of occupation, wherever practicable. In one department, I saw upwards of 130 insane females engaged in various sorts of work, under the superintendence of several sisters of charity, besides attendants, who formed, altogether, a gratifying spectacle. Some of the inmates were knitting, others sewing, and several were making clothes for the household; whilst, about twenty were engaged in lace making, which constitutes the ordinary occupation of many females in this portion of France. One woman amongst the group was specially pointed out for observation, as she then plied her bobbins with great zeal in weaving a most beautiful piece of lace, which was, apparently, as well made and cleanly preserved, as if it had been the work of a first rate perfectly sane artizan. Speaking generally, nearly two-thirds of the residents of this asylum were occupied in some kind of employment; either in the manner just described, in household work, cleaning the apartments, making or repairing clothes, cooking, and in whatever the authorities considered advantageous, or likely to engage attention. This zeal in promoting labour ought to be taken into consideration, when judging the institution as a whole; hence, impartial visitors should not solely look upon the number of camisoles employed, but upon other features likewise.

Subsequently, I visited the refectory, whilst 140 inmates were at breakfast. After grace was said by the presiding sister of charity, and an appropriate response from the audience, the party all sat down without confusion, and in messes of ten at each table, where they eat their meal with much quietude. Each division was served by one of their own number—also a patient—who acted as superintendent, and became responsible that all were attended to properly. This official wore a shawl of a particular pattern, in order to mark her position, and to show she had delegated authority over other patients. Such an arrangement appeared judicious; and produced beneficial effects, not only upon the parties so distinguished from the rest, but it also acted as an encouragement for others, to obtain the more elegant shawl, thus exclusively worn by their insane companion-attendants. In another eating-apartment, although the party was not so orderly in appearance as the preceding, about fifty agitated female patients were at breakfast, and arranged in nearly a similar manner to the former. These unfortunate victims of insanity certainly made more noise than the previous assembly; but they sat together pretty regularly, and endeavoured to restrain themselves during the repast they were partaking. This was satisfactory; for if able to accomplish such results, one step is gained in the management of lunatics.

Amongst the group collected in this apartment, one insane female was pointed out, who had resided many years in the asylum. She had been formerly very agitated, if not dangerous; and, therefore, the attendants frequently put her under restraint, even for some continuance. Through a change of system adopted towards this excited maniac, she became quite different in many respects, and behaved much more orderly. Previous to recent improvements, and the alterations made in the general management of this institution, the inmate now referred to actually remained, during many years, shut up in one of the ancient cells then used for confining furious patients, where she often lay entirely naked, slept generally on straw, and otherwise conducted herself in such a noisy manner, as apparently to justify the treatment pursued. After the lapse of years, this afflicted female became gradually tranquil, and ultimately showed very marked improvement. At present, she dresses herself in the morning, joins other companions at the work-table, sleeps in a dormitory with several patients, and

behaves almost like a rational creature, being quite different from the wild-looking person she formerly appeared. Such highly gratifying results having been produced by kindness, and the improved moral treatment adopted in this, as in other examples, constitute strong arguments in favour of its extended application.

Notwithstanding most inmates of the agitated divisions, particularly those confined in camisoles, were often very boisterous, still, with such exceptions, the general aspect of the institution was, upon the whole, tranquil, especially for female maniacs. In the work-rooms this feature was chiefly remarked; which proves incontrovertibly the great advantages generally produced by giving employment to all lunatics, both males and females, the latter of whom are usually more agitated and noisy than the other sex. This is the case in France; at least, according to my individual observation.

One important characteristic in the treatment of patients, at this asylum, deserves special mention in these pages—viz., the system of mutual instruction recently introduced. By this method, the authorities not only instruct ignorant maniacs in reading, writing, figures, and keeping accounts, which frequently the patient never knew before, but attention being thereby induced, dormant faculties even become so awakened as to produce beneficial consequences. Besides the good effects upon individuals thus engaged, as more advanced lunatics often act in the capacity of monitors, they also derive benefit by such occupations. Many become improved; some by teaching, others by learning; so that the condition of all parties is thereby ameliorated. Dr. Gosselet spoke highly in favour of the plan he had adopted; and, in my opinion, with much reason.

The provisions supplied seemed of good quality, and animal food was allowed five times a week to the patients. Their bodily health appeared generally satisfactory, and few inmates occupied the infirmary. These are gratifying facts, and show the care as well as constant attention paid, by the various officers of the establishment, to the unfortunate victims of insanity committed to their superintendence. Coinciding with Dr. Gosselet in many of the opinions he entertained respecting the treatment of lunatic patients, I feel assured, had he more conveniences in the asylum, and were it less crowded by inmates, at the same time, had he all the appliances which many newly-constructed institutions possess, personal restraint would be much seldomer employed than at present. Considering the irremediable defects and former condition of such an old building, with the prospect of future improvements in its management, the authorities deserve credit for the ameliorations already accomplished.

Amongst the 335 insane residents now under treatment in the Lille asylum, 56 are pensioners, who pay from 400 to 1000 francs per annum. The accommodation for private patients is pretty good; but here, as in other divisions, a great want of space prevails; so that the apartments occupied by this class were, like the others, too crowded. Parties of pensioners are permitted to go out of doors to enjoy a promenade in the neighbourhood. Occasionally, indigent patients are likewise allowed similar indulgences, when the physician thinks such proceedings advisable. Great circumspection is, however, necessary in authorizing similar excursions, in consequence of the numerous wet ditches and canals connected with the city and its extensive fortifications. That such is no imaginary danger, appears by an occurrence which took place, soon after I left Lille. On this occasion, several lunatics—inmates of another establishment—having been conducted into the neighbouring fields, one of the party, notwithstanding the attendant's vigilance, jumped into the canal, near which they then were walking, and was drowned.

In this asylum, as elsewhere, every patient who dies is pathologically examined after death, in order to ascertain the diseased changes of structure which have supervened. According to Dr. Gosselet's observation, some dis-

organization of the brain or appendages were invariably found, more or less appreciable, but always sufficient to show, that mental affections attacking lunatics are the consequence of organic disease. On these points his evidence seemed conclusive. Respecting another subject, that physician likewise made some valuable observations—namely, the evident influence which certain atmospheric conditions often exert upon mental maladies. Thus, insane patients seemed less excited during rainy, than in dry weather. The barometric pressure of the air also produced apparent effects; whilst cold always proved injurious. According to the same authority, the pulse of lunatics usually becomes accelerated; not feverish or inflammatory, but quick and excited. Further, Dr. Gosselet decidedly said, all lunatics should be well fed, warmly clad, and uniformly treated as if sane, wherever practicable, and they ought never to be deceived by false promises, always kindly treated, and managed with firmness yet good temper; whilst insane patients should be induced to work through persuasion rather than by force, but certainly never by menaces of punishment.

Believing it wholly impracticable to remedy the existing defects in the Lille asylum—which must, on the contrary, augment every year—it hence becomes even more imperative than in the case of Armentières, to construct a new institution in a more eligible locality. For so rich a department as the North, there ought to be no hesitation in following the good examples set by various public bodies of the country, such as the Lower Seine; where the present asylum of Saint Yon will be appropriated to female lunatics, when the new institution near Rouen for male patients is finished. The council-general of the north department will, I hope, receive the remarks now made by a stranger in the spirit intended, as they originate from a sincere desire to improve the condition of those helpless lunatics now confined in the present building; which, even had it been originally better constructed, is very different from the accommodation provided in many districts of France. To such a determination the government must at last come; and the sooner an alteration is effected, so much the more beneficial to inmates, and higher honour will then be acquired by departmental authorities.

ASYLUM AT CLERMONT.

This establishment is the private property of the Messrs. Labitte, and was founded about twenty years ago by the father of three brothers, who now superintend its different departments; one being director, another chief physician, whilst a third manages the agricultural operations of a large farm belonging to the institution. The buildings and gardens constituting the asylum, properly speaking, are situated on a declivity, inclining towards the south-east, close to the town of Clermont, built upon a hill in the department of the Oise, which is remarkable for its magnificent terrace surrounding the ancient castle, and from whence the spectator possesses an extensive yet beautiful view of the surrounding country. The distance from Paris is about fifty-two miles; and being near the railway betwixt that city and Amiens, the situation is exceedingly convenient for travellers, or persons having business at the establishment.

Although a private asylum, indigent insane patients are admitted, in accordance with an agreement entered into by the public authorities of four departments—viz., the Oise, the Seine and Oise, Seine and Marne, and the Somme. Besides the above class of lunatics, pensioners belonging to other grades of society are likewise received, who pay from 500 to 1200 francs per annum, for their treatment and maintenance at this institution. The court-yards are numerous, well arranged, and entirely separate; whilst the ground upon which the dormitories are constructed being extensive, there is no want of space. The different divisions seemed well laid out, were open, and airy; and, the residences for patients being usually two stories high, they supply appropriate yet ample

accommodation. Besides which, great order with cleanliness appeared manifest everywhere. Dr. Labitte, as already stated, is the attending physician; he has also one assistant, an interne, and a pharmacien—all being resident on the premises.

At the period of my visit to Clermont, the number of lunatics under treatment amounted to 876 inmates, consisting of 390 male and 486 female patients; consequently, this asylum is one of the largest throughout France. Amongst the present residents 68 were pensioners, 57 being men and 11 women. In regard to the various forms of mental disease affecting this large population, the following facts, kindly supplied by Dr. Labitte, must be interesting to readers, as they indicate the actual condition of present inmates. Thus, 101 were classed as epileptic patients, 36 being males and 65 females; those labouring under general paralysis amounted to 37, comprising 31 men and only 6 women; whilst 74 were dirty patients, consisting of 27 male and so many as 47 female lunatics. Again, it should be mentioned as an equally important part of statistics that, not less than 682 patients now resident were considered incurable, 249 being males and 433 females; thus leaving only 194 lunatics who exhibited any prospect of future amendment.

Respecting the actual amount of restraint at the period I inspected this extensive establishment, according to notes taken at the time, it appears 14 females were in camisoles, some being also tied to their chairs to prevent their falling, and so causing injury; whilst, in the male divisions, four individuals had also strait-waistcoats; but all were otherwise free. Nearly the whole of the above number were indigent patients; only one male and one female pensioner being comprised, amongst the eighteen inmates under coercion. Notwithstanding the statements now made, it ought to be distinctly understood, in justice to Dr. Labitte, that he is an opponent to the employment of camisoles in treating maniacs; and only has recourse to such physical measures, to prevent furious lunatics injuring others or themselves. In proof of this feeling, a male patient was shown, who had been confined to his chair by a camisole, in another lunatic asylum, during eighteen years consecutively, on account of being very violent and considered dangerous. After his admission into the Clermont establishment, the restraint having been soon removed, he was put to some occupation. In a short time this lunatic became quiet, conducted himself as an industrious orderly workman, and was so much improved by this mode of proceeding, that the camisole has never since been applied; thus illustrating most conclusively, the great benefits of non-restraint.

Besides other illustrations of a somewhat analogous description, it ought also to be mentioned that many of the cells, originally constructed for confining excited patients, have been abolished, and new dormitories constructed, in addition to other improvements now in progress. At present, there are twelve cells for male, and fourteen similar apartments for female patients, wherein they are placed when seclusion is thought advisable. The iron bars formerly seen in many windows have been removed, in order to substitute wooden shutters; and every effort is making to obliterate any prison-like appearance, throughout the various buildings.

During my perambulations through this extensive institution, great regularity respecting the details necessary, in so large a population, seemed to be established. The attendants appeared active, and keep an accurate register of the various employments in which patients are occupied, for the physician's information. Further, if any event had occurred since his previous visit, or it was necessary to direct attention to new matters, the facts having been written on a slip of paper, this report was always handed to Dr. Labitte, on entering the particular division to which it referred, so that nothing might be overlooked.

During the year 1850 the following return, taken from the official register, indicates the movement of patients at this asylum:—

	Males.		Females.	Total.
Admitted	132	...	134	266
Discharged Cured	20	...	33	53
Died	65	...	85	150

Amongst the 65 deaths of male patients now reported, 50, or about seven-ninths died from disease of the brain or nervous system; whilst three-fourths of the deaths in female patients exhibited, as the apparent cause of dissolution, affections of the abdominal viscera or pelvic organs. These are interesting facts, and have now been recorded in order to ascertain whether other pathologists have made similar observations.

Believing it will prove instructive to give several details, illustrating the movement of inmates at this large insane establishment, during a series of years, in order to compare the ratio of cures and deaths with the total admissions, it may be mentioned that, from the 1st of January, 1840, to the 31st of December, 1850—being a period of eleven years—2346 insane patients of all classes were admitted; the number discharged cured being 504, whilst 1114 died. Amongst the latter, it should, however, be added, 118 deaths arose from cholera. Taking the figures as now stated, only 21.48 per cent. of the patients left the asylum convalescent; whereas not less than 47.06 per cent. died, calculated according to the admissions. Excluding the 118 deaths by cholera, which occurred in 1849, as, in some degree, exceptional cases, the mortality, nevertheless, amounts to 42.02 per hundred. This makes a large ratio, and leads to the conclusion, that mental maladies usually affecting lunatics received from neighbouring districts into the Clermont institution, are often of a very inveterate or incurable nature.

When cholera prevailed throughout so many asylums in France, during 1849, nowhere perhaps, unless at the Salpêtrière in Paris, did this epidemic malady produce such ravages, as in the lunatic institution under discussion, where 118 patients, comprising 28 men and 90 women, became victims, besides 9 attendants of the establishment. And as the total cases recorded amounted to 216, it hence appears, nearly 59 per cent. of the persons attacked died by that disease. Some time previous to its appearance in this asylum, the epidemic had prevailed at Clermont; however, when cholera actually supervened, very few examples remained amongst the 3000 inhabitants of that town. Another fact also deserves notice; viz., no case was reported from a large central prison for females, which almost adjoins the institution on the north-west, notwithstanding it then contained numerous prisoners. Previous to the 26th of June, the asylum remained perfectly free from cholera; but from that date to the 31st of July, or a period of five weeks, during which it existed, all the 127 deaths were reported, patients and attendants included. Afterwards, the malady ceased entirely. In addition to these statements respecting the recent epidemic, it is also instructive to mention that, out of 122 cases carefully noted at the time, 86 commenced during the night; whereas, only 36 attacks began from 11 A.M. to the same hour in the evening. The disease likewise affected fewer male than female patients; and, besides, proved to the former much less destructive; seeing 147 cases occurred amongst 535 female lunatics resident; whilst, out of 340 inmates, only 46 men were similarly affected. According to these data, 13.52 per hundred, amongst male patients, were attacked by cholera, of whom 60.08 per cent. died; whereas, the ratio was 27.45 per hundred, of insane females affected, which gave a larger proportion of deaths, or 61.22 per cent., many being old and infirm people. Residents labouring under dementia and epilepsy, especially males, more frequently suffered from cholera than curable patients; with the exception, however, of epileptic females, who were less numerous, in comparison with other forms of mental disease.

Judging from outward appearances, the general health of most residents seemed good; and as very few patients were under treatment in the infirmary,

the physical condition of so large a population appeared satisfactory; being quite different from the autumn of 1849, as previously reported. Having large gardens adjoining the asylum, extending, with the various court-yards, to 37 acres, ample means are thus provided for employing insane patients in horticultural pursuits. Besides such opportunities for out-door work, as the farm attached to the asylum contains 247 acres—the most extensive establishment of the kind belonging to any insane institution in France—there is always plenty of agricultural employment at command. Indeed, sometimes as many as one hundred lunatics are engaged in the fields, both morning and evening. Some also work in the smithy, bake-house, and carpenters' shops; whilst others are engaged as tailors, shoemakers, and so forth. The females being also occupied in making or mending clothes, in the kitchen, washing-house, or at different kinds of household work. In short, to give employment to the insane residents is constantly kept in view at this institution; in which, about one half of the lunatic population are usually occupied, whereby their bodily health and mental afflictions are ameliorated.

Reviewing all the facts recorded during my visit to the Clermont asylum, I can justly say, the proprietors deserve commendation; whilst its management does credit to the three brothers who conduct so extensive an establishment; which, in many respects, including pecuniary considerations, becomes a very responsible undertaking. Although situated quite close to the town, nevertheless, the buildings being altogether disconnected with any adjacent houses, and not overlooked by neighbours, the inmates are never disturbed, nor can others be annoyed by their presence. In addition to possessing an extensive view of the surrounding country, its locality is considered salubrious, notwithstanding the ground floors of several dormitories are said to be occasionally damp, especially after heavy showers, in consequence of the moisture then collected from the upper garden and court-yards. The supply of water, as in other asylums, is rather defective, but not in comparison with many similar establishments.

Previous to taking leave of Dr. Labitte, for whose courtesy my best thanks are due, we entered the chapel belonging to the institution, where a large number of patients and attendants had assembled. Both male and female lunatics were occupied in their customary devotions, and behaved tranquilly during service, like any ordinary congregation. The men being ranged on one side, whilst the women occupied the opposite; and, considering most of the audience were insane, the scene thus displayed was highly interesting. Looking at the decorous behaviour, and cleanly appearance of the persons present, as also the general quietude everywhere prevalent, with the gay caps, red shawls, and blue gowns of the women, relieved by the black dresses or snow-white hoods of sisters of charity, and various men attired in blouses, the whole spectacle appeared exceedingly picturesque. After contemplating, during a short period, this numerous assemblage of human beings, deprived of reason, yet contented and apparently sane, I quitted Clermont having experienced many pleasing impressions.

CHÂLONS ASYLUM.

This public institution adjoins the town whose name it bears, known as the capital of the Marne department, and also famous in history on account of the great defeat which Attila and his Huns sustained, A.D. 431, close to its ancient precincts. The situation occupied by the asylum is open, airy, on rather elevated ground, near the suburbs, and is evidently well chosen. The house was formerly a mendicity dépôt, but many additions having been made, it then became a receptacle for lunatics, and has been so occupied about thirteen years. Extensive alterations are still in progress, whilst new dormitories have been recently added, with cells of an improved construction for the seclusion of agitated patients. These apartments are spacious and convenient, especially the dormitories, which seemed the best of the kind I have met with any where. The court-yards and gardens, although not extensive, are judiciously arranged;

whilst the work-rooms being cheerful, well lighted, and judiciously ventilated, appeared highly creditable to the architect and superintending authorities.

The Châlons asylum only admits indigent patients belonging to the department of the Marne, which every person knows forms part of the province of Champagne. Indeed, amongst the curiosities of this district, usually visited by travellers, the celebrated wine cellars of Messrs. Jaqueson and Co. deserve notice, as they extend for miles, and contain, on an average, about three million bottles of his much prized sparkling beverage. So extensive are the buildings in which this champagne is *manufactured*, that report asserts the straw and wood sheds, with those used for storing casks, were taken by Government, during six months, as a barrack, to lodge 4000 men; whilst the open courtyards served as a place to perform their military manœuvres. Being constructed near Châlons, on a moderately high hill, the various houses look like a small town, and form a prominent object in the distance.

Dr. Giraud, very favourably known to the profession by his works on insanity, is the physician, and only resident medical officer of the institution. He is likewise director, but has no interne. There is, however, an assistant physician, who resides in Châlons, and visits the asylum professionally when his attendance is required, or if Dr. Giraud happens to be absent through any cause. On the day of my visit to the establishment, the number of lunatic inmates amounted to 309; of whom 145 were male, and 164 female patients. About three-fourths were considered incurable; whilst four men were affected with paralysis, but not one case existed among the other sex. The bodily health of most patients was satisfactory, and very few cases were noticed in the infirmary; hence, judging from appearances, the general population seemed healthy, and the locality salubrious.

Respecting restraint, it is gratifying to report that no male patient was in any manner confined; but, at the period of my visit to the asylum, four female lunatics were in camisoles. Nevertheless, both in the male and female divisions, the inmates were orderly and quiet; indeed, it may be added, the women seemed less noisy and excited than has been sometimes noticed elsewhere.

Notwithstanding indigent persons are only admitted into the Châlons asylum, who belong to the department of the Marne, private patients are received from any other district; the payment, in these cases, varying from 400 to 1500 francs per annum, according to the accommodation. At the period these notes were written, the number of lunatics so classified was 63, of whom 29 were males and 34 females. The apartments for pensioners seemed good, and even some were of a superior description, which will be farther improved, when several proposed alterations are completed; and the various additions now contemplated cannot but prove most useful, seeing the proportion of insane persons in this department is rather higher than in many other districts of France; the ratio being, according to recent investigations, one lunatic in every 1155 inhabitants.

During the year 1850, the movement of patients at the Châlons asylum was reported as follows:—

	Males.	Females.	Total.
Admitted	37	36	73
Discharged cured . .	30	15	45
Died	13	8	21

Amongst the deaths recorded, a large proportion, according to the autopsies subsequently performed, were apparently produced by cerebral disorganization.

Dissimilar to various other French institutions, no death from cholera occurred at the Châlons asylum during 1849; notwithstanding that epidemic malady prevailed in the town with some severity, and several fatal cases even took place amongst the residents of houses not far from the public entrance to the establishment.

Much attention is constantly paid to employing patients in various kinds of occupations. Upon an average, about two-thirds—a high proportion—are

usually occupied, whilst 114 insane inmates actually received recompences and gratuities for different pieces of work they had performed during last August. This system of making an allowance to lunatics for labour accomplished, proves a great encouragement to the poor recipients, as it augments their present comforts, besides often making a small fund for future necessities.

No farm being attached to this asylum, out-door work is chiefly obtained in the adjoining and well arranged gardens, in which I saw various lunatics busily occupied. Gangs of inmates, accompanied by their attendants, are likewise permitted to labour in the fields of neighbouring farmers, from whence they return in the evening, as if all were reasonable creatures. This plan is considered highly beneficial, and deserves being mentioned in these pages, as an example for imitation by other establishments. Besides the above employments, every kind of work necessary in the domestic economy and management of such an institution is performed by inmates. Numbers, especially of the female patients, were busy in their respective work-rooms; some in making and mending clothes, or in preparing linen, besides washing, cooking, cleaning apartments, and so forth; indeed, the general aspect of the asylum looked more like a factory than a mad-house; whilst great tranquillity prevailed throughout the entire building. I stated these impressions to Dr. Giraud at the time, and added that the establishment over which he presided was one of the quietest I had hitherto inspected. Compared with its former condition, great ameliorations have been accomplished in the Châlons asylum; whilst the proportion of fatal cases recorded have lately, and almost annually, decreased. Thus, in 1840, the ratio was one death in seven patients, which gradually fell to only one in seventeen during 1849. This decided alteration became more remarkable after recent improvements were instituted, but especially subsequent to the appointment of a resident physician.

Amongst the patients now under treatment in this departmental institution, one was pointed out, who deserves some notice in the present report, seeing he was not only the oldest inhabitant, but otherwise also interesting, from having served as an officer in the army of Italy, when commanded by Napoleon, and under whom he fought at the battle of Marengo. This veteran soldier of the empire had attained his ninety-second year, and, judging from outward appearance, may yet survive some time longer, and so constitute perhaps one of the last links connecting the former with the present republic. Nay more, having formerly served the first emperor, perhaps the old lieutenant may yet become the subject of a second imperial sovereign, sprung from the same stock, and governing the country.

Another insane resident of a different description, but viewed professionally, more instructive, and respecting whose capabilities I can speak with confidence, notwithstanding his intellectual deficiencies, also came under observation. The party now alluded to was clerk in the director's office, and superintended many details in that department. This poor fellow is very useful as an amanuensis, and labours with his pen like any sane person. Indeed, most of the official statements contained in previous pages were obtained through his instrumentality, all being, of course, subsequently submitted to Dr. Giraud, in order to insure accuracy; since any statistical information, of whatever kind, without such an essential qualification, becomes utterly worthless.

The inmates have animal food five times a week, whilst the other articles used seemed of good quality, and the culinary apparatus, as in most French asylums, appeared in excellent order; whilst the commissariat department was both efficient and properly regulated. Although the various substances which constitute the ordinary dietary of insane parties in English asylums are often of a better quality than throughout France, nevertheless, in the latter country, they certainly understand the mode of cooking, especially for large institutions, much better, and even more economically than on the English side of *la*

Manche. Considering the judicious feeding of lunatics is a most important point in their treatment, I would remark that the *cuisine* at this asylum attracted special attention; and although by no means an advocate of meagre or fast days for insane patients who require, on the contrary, to be better and more nutritiously fed than even sane persons, still the soup and vegetables supplied in French asylums, on Fridays and Saturdays, are generally properly prepared, whilst the bread supplied is abundant, and usually of excellent quality.

Being nowhere overlooked, notwithstanding its vicinity to Châlons, this departmental asylum is well adapted for the reception of insane patients. When the new dormitories are finished, and the improved cellular apartments, for secluding excited or dangerous lunatics, are completed, both may be taken as good models for imitation. Having two opposite entrances, attendants can at all times gain access to a cell, even although the occupant may place his body against one of the doors, in order to prevent free egress, which sometimes happened in those constructed upon the old principle, and so proved dangerous. In the new buildings such contingencies will be obviated; and in taking leave of the Châlons asylum, I would again remark, these apartments, as also the dormitories, are admirable structures.

(To be continued.)

ON THE PHYSIOLOGY AND PATHOLOGY OF THE BRAIN.*

BY JOSEPH LALOR, M.D., PHYSICIAN TO THE KILKENNY LOCAL LUNATIC ASYLUM, ETC.

THERE can be no doubt that structural lesions of the brain, and abnormal conditions as to the quantity of the blood circulating therein, and the rate and mode of its circulation, will disturb the cerebral functions in various ways. But, in many cases of nervous and mental disturbances, and more especially of mania, and allied disorders, no such structural lesions or abnormal conditions of vascularity exist. Moreover, the derangements of intellect which coincide with structural lesions of the solid portions of the brain (when those lesions are uncomplicated) and with vascular congestions of that organ, appear, at least, in general, to amount to no more than a weakness, a defect of the faculties of the mind; such as a slowness of comprehension, lethargy, insensibility, or that species of incoherence, which is merely a want of power to continue the attention to one point, or to one train of ideas. In Audral's *Clinique*, there are described the *post mortem* appearances, in twenty-four fatal cases of affections of the membranes of the brain, consisting of tumours of the dura mater, sanguineous effusions between the dura mater and arachnoid, and of inflammations of the arachnoid, the dura mater and the pia mater, in various stages and degrees of intensity. Delirium occurred in seventeen of those cases during life, and although the precise character of the delirium is not expressly stated, yet from the notice of the presence of other symptoms, showing a want of vital energy, and of the alternation, coincidence, or succession, of coma and stupor, there can be little doubt that the character of the accompanying mental affection was of that asthenic description already described. But inflammations of the membranes admittedly produce more frequent, better marked, more sthenic, and more violent mental disturbances, than inflammations of the substance of the brain. Indeed, Lallemand undertakes to prove, that delirium is never observed in inflammations of the substance of the brain, which are exempt from complication, and that this symptom belongs especially to inflammations of the arachnoid. In seventy-five fatal cases of affections of the

* We publish this paper without expressing our concurrence in all the views entertained by the author.—Ed.

brain in adults, which are related in Abercrombie's work on diseases of the brain, the *post mortem* appearances are described, consisting of structural lesions of various forms and degrees of intensity. Delirium was absent during life in sixty of those cases, and present only in fifteen. In inflammations of any other important organ, as well as of the brain, delirium will frequently arise. A paper from the pen of Sir Everard Home, in the twenty-fourth volume of the "Edinburgh Review," exhibits, in a very striking and circumstantial manner, the extent of injury which the brain may sustain, without any suspension of its faculties; and the perusal of this paper can scarcely fail to leave a strong impression on the mind, that considerable structural lesion of the brain may exist with little or no mental disturbance. On the other hand, a careful and impartial investigation of the results of *post mortem* examinations will, I am convinced, tend to show, that, where the intellect has deviated most permanently and obviously, from the healthy standard; as in mania and its allied disorders, there is frequently found to be no structural lesion whatever of the solid portions of the brain. When such lesions have been found to exist, they have been most frequently of such slight extent, and of such recent origin, as to shew that they have been, not the cause of the violent mental disturbance, but rather accidental coincidences or consecutive alterations. In a review of recent publications on insanity, which appeared in the "Dublin Medical Journal for November, 1850," the reviewer observes, that the pathology of insanity is very obscure, and throws little light on the disease, and he quotes from a recent work of Sir Alexander Morison's this observation:—"That Esquirol opened the bodies of no fewer than three thousand persons who died in an insane state, and yet he says, that he would be at a loss to tell what is the precise part of the brain diseased. Greding, Pinel, and Haslam have also drawn nearly similar conclusions." When such unsatisfactory results have been obtained from such an extensive series of investigations, confined to the solid portion of the brain, which is admitted, at the present day, to be the material organ of the mind, I trust that I shall be excused for endeavouring to invite the attention of the profession to a closer consideration of the influence which the quality of the blood appears to exercise over the functions of the brain, as offering at least a prospect of throwing light on a question eminently obscure and difficult.

In the following observations, it is intended to adduce some facts, authorities, and arguments, which have occurred to me, indicating the existence of a constant relation between the chemical and physical constitution of the blood circulating in the brain, and the powers, character, perfection, and imperfection of the cerebral functions.

Richerand, in his physiology, attributes some of the moral qualities of men and animals, such as courage, to the activity with which the heart propels the blood towards all the organs, and he says, "that every being that is feeble is timorous, and shuns danger, because an inward feeling warns him that he does not possess sufficient strength to resist it." He adds, "It may be observed that some animals, as the turkey-cock, and the ostrich, possess less courage than the least birds of prey; that the ox has less than the lion, and other carnivorous animals. What has been said applies to the relative and not to the absolute size of the heart. Now, though the heart of a hawk be absolutely smaller than that of a turkey-cock, it is nevertheless larger in proportion to other parts of the animal. Besides, birds of prey, like other carnivorous animals, in part owe their courage to the strength of their weapons of offence." Richerand's observation as to the difference of courage between herbivorous and carnivorous animals is well known to be true as a general rule; and he might have added many other differences in their moral qualities, as the greater proneness of carnivorous animals to violent passions, their indocility and untameableness, and, on the other hand, the greater mildness and docility of herbivorous animals. For my part, I believe that a rigid examination of the question would show a

more constant relation to exist between the quality of the blood in herbivorous and carnivorous animals, and the acknowledged differences in their dispositions, than between the relative size of their hearts, or the strength of their weapons of offence, and those dispositions, as suggested by Richerand. At all events, great differences have been ascertained to exist in the composition of the blood of those animals, consisting, amongst others, in a greater proportion of globules and a less proportion of water in the carnivorous than in herbivorous animals. The following quotations from M. Lecanu's essay on the blood not only establish the fact of this difference in the quality of the blood in those classes, and also in others where analogous differences in disposition exist, but also go far to show the efficiency of such difference in the composition of the blood, as a cause to produce such difference in disposition:—"The proportion of globules would seem to serve as a measure of the vital energy. This general result is of extreme importance, when we remember what MM. Prevost and Dumas have taught us of the totally different action exercised upon the nervous system by the serum which scarcely excites it, and by the globules which excite it violently. By a singular coincidence, every cause which tends to diminish the mass of the blood seems to tend, at the same time, to diminish the relative proportion of the globules, whilst it increases that of the water in such a manner, that the influence of those causes has for its results to produce both the lesser fulness of the blood-vessels, and the impoverishment and fluidity of the blood which they contain. In women the uterine losses, and in the two sexes blood-letting, and a diet of solid aliments produce this double effect in a remarkable manner. In a previous paragraph Lecanu had stated, on the authority of Prevost and Dumas, that the proportion of globules was greater in carnivorous than in herbivorous animals." It is further stated by Richerand,* as a well-known fact, that "the greater or less degree of the vicinity of the heart and brain gives a tolerably just measure of the intellect of man and the instinct of the lower animals, and that the disproportionate length of the neck has ever been a mark of stupidity." The simple explanation of this fact (assuming it to be true), would appear to be the more impure or carbonised condition of a fluid so delicate and so susceptible of change as the blood, owing to the greater length of its passage from the heart to the brain.

There are reasons for supposing that the relative perfection of the intellect, in man and animals, is in some measure dependent on the quality of their blood. I am fully aware that the majority of physiologists give a different explanation of this matter, and that they generally agree in the view put forward by Müller,† viz., "Corresponding with the development of the intellectual faculties in the different classes, we meet with very great differences in the form of the brain, which undergoes a gradual increase of size, from fishes up to man, with the development of their intellectual faculties, which in the animal scale is dependent on the size of the brain. But those propositions of Müller's are not strictly in accordance with fact, and we do not find that the increase in size in the brain of animals is exactly accordant with the development of their intellectual faculties. The scale of this increase in size is by no means regularly graduated, but runs up and down in an irregular manner, so that we find a whole species of an inferior class of animals, whose brains are more voluminous than those of another species in a superior class, and that we also find a greater development of the intellectual faculties in individuals of species with smaller brains than in others of species with larger brains, whether the size of the brain be taken absolutely or relatively to the size of the rest of the body. Bostock‡ remarks, that "all those comparative observations (such as we have quoted above from Müller) are deserving of attention; but we might, *à priori*, expect the powers of the nervous system to depend, at least, as much upon the

* Richerand. By Copland. P. 330.

† Müller. By Baly. Pp. 808, 815, and 816, vol. i.

‡ Physiology. 4th edition. P. 168.

perfection of its organization as upon its mere bulk." However, the perfection of the organization of the brain, and its adaptation to the purposes intended, must depend on the perfection of its fluid as well as of its solid constituents. The quantity of the blood circulating in the brain, the mode and rate of its circulation, and its composition, are most probably all causes affecting the development and perfection of the cerebral faculties, as well as the mere volume of the organ—whether considered as a whole or relatively to its parts—and molecular structure. A consistent and perfect explanation of many phenomena in health, and disease, can be afforded only when due notice of the quality of the blood is included, with other considerations, as forming a portion of the physiology and pathology of vital action, whether mental or bodily. I repeat, that great differences exist in the constitution of the blood in different species of animals, and in different individuals of the same species; some of which have been already stated, and others will now be considered. Leuwenhœck has pointed out great differences in the form and size of the globules of the blood in animals of different species; and even previous to his time the division of animals into white-blooded, and red-blooded, cold-blooded, and warm-blooded, showed that great differences had been considered to exist between the qualities of the blood in different species of animals. Lately a number of scientific men have contributed much to increase our knowledge of this subject, and have made various observations and analyses of the blood of several animals, and of man, in health and disease. Amongst those, M. Lecanu, from the results of experiments made by himself and by M. Denis, asserts, that the effect of bad and innutritious diet is to diminish the quantity of globules, and to increase the quantity of water in the blood.

MM. Prevost and Dumas have shown by analysis, that the proportion of globules is greater, and the proportion of water less, in birds, than in other animals, and as already remarked in carnivorous, than in herbivorous animals, and on the contrary that the proportion of water is greater, in animals with cold blood, than in animals with warm blood. Lecanu has also proved that the proportion of iron differs in the blood of different species, and of different classes of animals. So far then as qualitative analyses have gone, they have proved the existence of differences, in the quality of the blood, corresponding with differences of classes, and of species of animals, of their general mode of nourishment, of particular alterations of diet, of the nature and perfection of their respiratory functions, &c. Those differences in the qualities of the blood in animals are not less marked, than the differences in the volume of their brains, its structure, or its vascular peculiarities; whilst the difference, for instance, between the nerve-exciting power of the globules and the serum, indicates that differences in the quality of the blood may produce differences in disposition, temper, intellect, &c. Naturalists, and the keepers of menageries, have long since remarked that the ferocity and thirst for blood, of beasts of prey, is violently excited by a meal of raw meat or of blood. The courage and spirit of game-cocks and of race-horses are also increased by the use of particular articles of solid or of liquid aliment; and this moral change is often produced in a space of time too short to allow of the supposition that it is owing to any alteration in the solid structure of any organ. Again, very perceptible differences arise in the physical properties of the blood, sometimes according to the medium through which respiration is carried on, and sometimes according to the air or gases which are respired. The various processes of nutrition, and of secretion, materially affect the composition of the blood, and as those processes are more or less numerous and more or less perfect, so must the quality of the blood differ both in individuals and in species. In fact, I am led to think, from some reflection on the subject, that a careful analytic investigation would show at least as regular a gradation in the blood as in the solids, throughout the animal kingdom, and that in individuals also their blood would be found, by such an inquiry, to differ either coincidently with or consecutively to original or acquired

differences of organization, or as they were placed in circumstances favourable or unfavourable to the performance of their functions. Certainly there is not a single function of the animal body which does not appear to affect the composition of the blood, and to be affected by it. Of all the animal functions, that of respiration exerts the most direct and largest influence on the blood. In proportion to the perfection of the function of respiration we constantly observe a proportionate energy, and perfection of the intellectual faculties, other circumstances being equal; and so, in like manner, as to the effects on the intellect of imperfect respiration. The results are analogous, whether the perfection or imperfection of the respiratory process arise from the perfection or imperfection of the organ by which it is effected, the nature of the gas respired, or the nature or conditions of the respiratory medium as to circumstances favourable or otherwise to the respiratory process, such as light, moisture, temperature, &c. Thus analogous impairments of the vital energy and of the intellectual faculties, arise when carbonic acid gas loads the blood; whether the excess of the gas arises from its direct inhalation, from the want of its removal by the natural processes, from the deficiency of oxygen gas in the air respired, from the imperfection of the circulating organs, as in *morbus ceruleus*, or from any other cause, provided the other circumstances which might modify those results, remain equal. Thus also we find the energy and irritability of birds to bear a proportion to the amount of their respiration, which is determined chiefly by the peculiarities of their respiratory organs. "Every one knows," says Cuvier,* "the varied industry which birds exhibit in the construction of their nests, and the tender care which they take of their eggs and young; it is the principal part of their instinct. With regard to the rest, their rapid passage through different regions of the air, and the intense and continued action of that element upon them, renders them pre-sensible of the variations of the atmosphere to an extent of which we can have no idea, and from the most ancient times has caused to be attributed to them, by superstitious persons, a power of announcing future events. They are not devoid of memory, and even imagination, for they dream, and every one knows with what facility they may be trained, taught various services, and to retain airs and words." Yet the volume of the brain in birds, as a class, is inferior to that of mammals, and chiefly depends on the tubercles analogous to the corpora striata. With such brains, and with less energetic and less perfect respiratory and circulating apparatus, would the intellect or instinct of birds rate so high?

"The three classes of oviparous vertebrates," says Cuvier,† "differ very much from each other in their quantum of respiration, and in all that relates to it; viz., the power of movement, and the energy of the senses. Again, ‡ "As respiration imparts the warmth to the blood, and the susceptibility of the nerve-fibre, reptiles have cold blood, and their aggregate muscular energy is less than in the mammalia, and much less than in birds. Hence their movements can scarcely be performed otherwise than by crawling, and swimming; their habits are generally sluggish, their digestion excessively slow, their sensations obtuse; and, in cold or temperate climates, they pass nearly the whole winter in a state of lethargy. The amount of respiration in this class is not fixed, as in the mammalia and birds; but it varies, according to the relative proportion of the diameter of the pulmonary artery, as compared with that of the aorta. Thus tortoises, and lizards, respire much more than frogs; hence the differences of energy, and sensibility, are very much greater than those between one mammal and another. It surely will not be denied that the intellectual powers of animals may be influenced by the amount of their respiration, when it is admitted that this influences their vital energy, the susceptibility of their nerve-fibre, to the energy of their senses, digestion,

* Animal Kingdom. By Blythe, &c. pp. 154 and 161.

† Idem, p. 153.

‡ Idem, pp. 267, 268.

and sensations; and when it is also admitted that the imperfection of the respiration renders the movements of certain classes of animals sluggish, and reduces them, on a slight decrease of temperature, to a state of lethargy. But the results, on the functions of the brain, arising from differences in the perfection or imperfection of the respiratory process, are (as already stated) analogous; although the causes giving rise to those differences may be very different, or even opposite, as to their effects on the animal economy, other than as regards the respiratory process. It follows that it is the respiratory process (the action of which is on the blood) which influences the functions of brain, and not the effect of sympathy with some other organ (on which perhaps the defect in respiration depends, as in *morbus cereuleus*); nor on accessory circumstances (as those might be supposed to act otherwise than by their influence on the respiration, and thence on the blood). Another presumptive proof of the influence of the quality of the blood on the intellectual faculties of animals, may be drawn from the change of character produced in them by change in geographical position; as the chief accidents of geographical position are such as most probably act through the large influence which they exercise on the composition of the blood. Those are temperature, state of the atmosphere as to its hygrometric, or electric condition, diet, &c. &c. It is well known that animals, like plants, affect a certain geographical zone, out of which the species indigenous to that zone do not come to perfection, and in many instances will not live at all. When far removed from their natural geographical habitat, animals lose their spirits, the activity of their intellect and of their character becomes altered; they often will not continue their species; they become liable to disease, pine, and die. Changes, then, from their natural geographical habitat, effect changes in the economy of animals, as to the energy of their intellectual faculties, their habits, their dispositions, their passions, and their sexual propensities. The quality of their blood, too, must be affected by the alterations in external circumstances produced by change in geographical position, and deeply affecting the functions, especially of the respiratory organs, adapted to a different zone. Is there any other physical change, which does occur, or is likely to occur, in animals, from change of geographical position? The same train of argument might be pursued, as to the effects of domestication on animals; but there is so much difficulty in separating what is the result of physical causes from what is the result of education, that I will not enter into the subject more than to remark that the difference in sexual propensities, between the wild and the tame pigeon, for instance, do not appear to have any causes to explain them, other than those differences in the external physical circumstances of the two varieties, which act on the blood, and through it on the nervous centres.

An extraordinary instance of the effect of food on the entire organization of the larva of an animal, to such a degree as to alter the sex, and thus to modify the whole structure of the intellect in the future animal, is presented in the bee species, of which the workers may be transformed into mother bees, if, while larvæ, and during those first days of their existence, they receive a peculiar nourishment, such as is alone given to the larvæ of future queens. It is only reasonable to suppose that the food acts in this instance as it must be supposed to do in ordinary circumstances—viz., through its influence on the composition of the blood. In the human species, the proportion of male to female births is greatly influenced by the condition of the parents as to circumstances which either have been ascertained experimentally to affect the constitution of the blood, or which may be inferred, rationally, and from analogy, to do so. Thus it would appear, from the results obtained by M. Quetelet himself, or by other statistical authorities quoted by him,* that “the relative ages of the parents, their employments, their condition as to physical constitution, supply of food, &c., their residence in town or country, exert a regulating influence on

* Quetelet on Man. Translated by Chambers.

the proportion of the sexes in a given number of births. It has been already shown that the quality of the blood is affected by some of the circumstances mentioned above—as food; and, hereafter, it will be shown to be affected by others—as age. But, in the mean time, it may be observed, that there is not one of those circumstances which we can well suppose to be without influence on the constitution of the blood; and I believe it would be impossible to point out any other common physical effect on the animal economy, in which they can all be supposed to agree. It can scarcely be necessary to remark that, what plays a part in determining the future sex, must likewise play a part in determining the future moral and intellectual qualities of an individual organism. The transmission of hereditary mental qualities, and of peculiarities of physical organization, from the male parent to his offspring, presents an instance of the action of a fluid or solid matter; if not identical in its nature, yet of a character at least as peculiar, and as difficult of comprehension, as would be the production of ideas by the action of the blood on the brain, under the superintendence of an immaterial mental principle, should such a theory be adopted. “The semen,” says Müller,* “is not merely a stimulus for the fructification of the egg, for it impregnates the eggs of batrachia and fishes, out of the body; and the form, endowments, and even tendencies to disease, of the father, are transferred to the new individual. The semen, therefore, although a fluid, is evidently endowed with life, and is capable of imparting life to other matter.” Again,† “The semen and germ must contain, not only the vital principle, but also the mind of the new being in a latent state.” Again,‡ “Observations have shown, that the fecundation following the union of the sexes results from the direct action of the semen on the ovum. It is equally certain that fecundation does not depend on any influence of the entire male organization, but on the semen alone.” Those doctrines of Müller are fully borne out by the facts and arguments which he adduces to support them, and establish for the semen that influence which he attributes to it. But there is a phenomenon more curious than the transmission of qualities from the male parent to his direct offspring through the semen. It is that the peculiarities of a male animal, that has once had fruitful intercourse with a female, are more or less distinctly recognised in the offspring of subsequent connexions of that female with other males. Such instances commonly occur among the lower animals, and several are cited in the appendix to Combe’s “Constitution of Man.” Similar facts are recorded, also, in a paper from the pen of Dr. Harvey, of Aberdeen.§ Dr. Harvey sets forth a theory to account for those long-observed and well-established facts, which has been put forward by Mr. McGillivray, a veterinary surgeon, and which theory Dr. Harvey supports. This theory is as follows:—“When a pure animal of any breed has been pregnant to an animal of a different breed, such pregnant animal is a cross for ever after; the purity of her blood being lost, in consequence of her connexion with a foreign animal.” Dr. Harvey explains the loss of the purity of the blood in the following manner:—“In the same manner as the small-pox virus may pass unaltered from the mother to the child in her womb, and produce in it actual disease, so also, constitutional peculiarities, derived to the fœtus from the father, and inherent in its blood, may be imbibed with the blood by the mother. When we reflect on the length of time, during which the connexion between the mother and fœtus is kept up, and the amount and activity of interstitial change going on in the system of the fœtus; the large quantity of fœtal blood that must eventually be taken into the vessels of the mother; and the probability, that the peculiar matter imparted by the male parent to the ovum, at the moment of impregnation (be its nature what it may, and its quantity never so infinitesimal), assimilates most of the fœtal blood to itself; it does not seem too hard to be believed, that the blood and constitution generally of the mother

* Müller. By Baly. P. 144, vol. i.

† P. 820.

‡ P. 1489, vol. ii.

§ See Med. Press (Dublin), Oct. 10, 1849. Copied from Ed. Month. Journal.

may thereby become so imbued with the peculiarities of that parent as to impart them to any offspring she may subsequently have by other males." Dr. Harvey cites instances of analogous phenomena in the human species, showing the transmission of qualities from the male who has had the first fruitful intercourse with a female,—not only to the offspring of that intercourse, but to the offspring resulting from subsequent connexions with a different male, and even to the mother herself. Those instances in the human species he explains by a similar theory. The whole scope of this ingenious and interesting paper is strongly in support of the views which I advocate, and tends to prove that the influence of the semen, not only on the physical, but also on the mental organization of the fetus, and of the mother, is realized through the medium of the blood. In some results arising from the transfusion of blood, and in the limitations and laws fixed by nature to regulate the fruitfulness of intercourse between animals of different genera, &c., we have a series of parallel facts which appear to have an important bearing on our present subject, and to be capable of rational explanation only on a common principle, having reference to the constitution of the blood. It is known that the blood-globules have different dimensions in the different animal species, and similar forms and dimensions in the same species; and also that revivification is produced in an animal bled to syncope, by the transfusion into his veins of the blood of an animal of the same species. But a deadly effect is produced by the transfusion of the blood of some classes of animals, into the system of animals of other classes; as of the blood of mammalia into the veins of birds. "The deadly effect in those cases," says Dr. Bischoff,* "is in some way connected with the fibrine. The principle which renders the blood of one class of animals injurious to another class, is not the vivifying principle of the blood, which might be supposed to be peculiar to each individual class, and deadly to others; for the blood, when deprived of its fibrine by stirring, has still the effect of perfectly restoring the animal from which it was taken, although the latter be reduced by loss of blood to syncope, or apparent death; but it is an important fact, that when blood, thus deprived of its fibrine, is injected into the veins of an animal of a different class, reduced to a similar state of syncope, no revival takes place; the animal dies. Thus, we have several series of phenomena coincident with certain ascertained qualities of the blood: firstly—the limitation of the fruitfulness of connexions between animals to those between animals, the globules of whose blood are similar, or nearly so; secondly—the revivifying powers of blood, deprived of its fibrine, on the same animal from which it was taken; thirdly—the non-revivifying power of blood, deprived of its fibrine, on an animal of a different class; fourthly—the otherwise innocuous influence of blood so treated, even on animals of a different class; fifthly—the poisonous effects of the blood of some classes of animals of which the fibrine has been retained, when introduced into the system of animals of other classes; sixthly—many of those poisonous effects are manifested on the nervous centres, and on the intellectual faculties. And, in an abstract view, we see the power of the continuation of certain types and forms of physical and mental organization amongst animals, the power of the continuance of individual animal life, and healthy nervous and intellectual action, coincident with certain qualities of blood.

We find it stated in "Bostock's Physiology," that Haller made a calculation, from which he concluded that one-fifth of all the blood sent out from the left ventricle is carried to the head, although the weight of the brain in the human subject is not more than one-fortieth of that of the whole body. Whether we adopt this calculation, or reduce the quantity of blood to one-tenth, according to Monro, or take even a lower estimate, we cannot but be struck with the very large supply of blood which the brain receives in proportion to the rest of the body; and hence we must be led to inquire for what purpose is such a large

* Müller, p. 141, vol. i.

supply provided, and the freedom of its circulation secured by the peculiar mechanism of the cerebral blood-vessels? The processes of secretion and renovation performed in the brain are trivial, and manifestly insufficient to require a supply so large, and a circulating apparatus so peculiar. Indeed, wounds and injuries of the brain are repaired slowly, in comparison with those of other parts of the body; and it may be doubted if true nervous matter is ever reproduced. The molecular augmentation of the brain, evidenced by its increase in size and density from youth to manhood, is so slow, trivial, and limited in its duration to a certain period of life, as not to require provisions so ample and so permanent. There remains only the supposition, that this large supply of blood, and the peculiarities of the circulating apparatus, subserve the purposes of the peculiar functions of the brain. Can we suppose that it is a matter of indifference what is the quality of that fluid whose circulation in the brain with such freedom, in such quantity, and with such constancy, is thus carefully and amply provided for? The brain also receives the blood in a highly arterialized state. "There are some organs," says Bostock,* "more particularly the brain, the spinal cord, and the organs of sense, which are, at least, much less plentifully supplied with absorbents than the other soft parts; indeed, it may be doubted if we have any unexceptionable evidence of their having been seen in those organs." This total or partial absence of lymphatics in the brain, and the scantiness of its nutrient and secreting functions, are peculiarities which appear to have a close and common bearing on the subject under review, and which should be considered not only in the aspect as they affect the composition of the blood, but also as they afford grounds for reasoning on the mode of action of the blood upon the brain, if the existence of some action on the part of that fluid be presupposed. Supposing the office of the lymphatics to be the conversion of the solids of the body back again to the fluid form, and their return into the general circulation (to be eliminated therefrom by the different excreting organs, or purified by the respiratory organs), it appears to follow, as a consequence of the absence of lymphatics from the brain, that this process of elimination or reparation is wanted therein, and hence also, that the brain is a permanently organized body. The nervous matter of the brain occupies the same position between the termination of the arteries and the commencement of the veins as is occupied by the secreting and nutrient vessels of some other organs; and the mass of the blood circulating through the brain is converted from arterial into venous, whilst it permeates the medullary molecules. But as only a small portion of this large supply of blood is wanted for any process of secretion, molecular renovation, or growth, it follows that the arterIALIZATION of the remaining larger portion must be otherwise accounted for. There remain only the peculiar functions of the brain to account for this conversion, and as the blood in the jugular veins is similar, or nearly so, in quality with that in the vena cava, for instance, it follows that an analogous reaction occurs in the parts from which the blood is returned to those different veins. Hence it would appear that the functions of sensation, perception, motion, &c. are developed just at the point where the arterial is being altered into venous blood, or at the precise point where secretion and nutrition take place in other parts of the body. It seems natural to conclude that this alteration in the blood is not only contemporaneous with, but consequential on, the function, in the one case as in the other; and that the same chemical action which, in the one case, is followed by a new material product, is, in the other, connected, in some way, with the development of sensation, &c. From the commencement of fetal life to the termination of independent existence in man, variations in the condition of his cerebral powers and qualities are found constantly to coincide with variations in the constitution of the fluid blood circulating in the system. "The excitement," says Muller,† "of certain organic states of the brain, by the bright

* Note to p. 603 of *Physiology*, 4th edition.

† P. 1387.

scarlet, aerated blood, is a necessary condition for the action of the mind. Hence, the abstraction of blood in large quantities produces syncope, and loss of consciousness."

"The blood of the fœtus, arterial and venous, is stated," by Müller,* "to differ in no respect from the venous blood of the adult." It is impossible to reconcile such a conclusion with the opinion generally received, and in which Müller himself joins, that the placenta performs an office supplementary to the lungs. As the two opinions are irreconcilable, let us see which is the correct one. The anatomy of the placenta, the venous condition of the embryotic blood, and the low power of generating heat in the new-born animal, would lead to the conclusion that the placenta performs an office the very reverse of that assigned to it; and Müller himself says, "that in the fœtus of mammalia the necessity for the aeration of the blood seems wholly wanting."† Certainly, whilst the blood enters the maternal placenta in an arterial condition from the uterine arteries, none passes out of the placenta except in a venous condition, whether on the one hand that which goes through the umbilical vein, after imbibition from the maternal placenta, into the fœtus; or, on the other hand, that which returns into the maternal system by the uterine veins. In fact, from what occurs at the moment when the blood of the fœtus at birth has been exposed to the influence of the atmospheric air—viz., the simultaneous development of motion, sensation, perception, hunger, and other appetites, we must suppose that the same results would follow from the circulation of arterialized blood through the system before birth. If the office of the placenta were like that of the lung, it cannot be supposed that the circulation of the resulting blood through the brain, and the whole system of the fœtus, would be compatible with the continuance of its existence as an embryo. We see that peculiar phase of existence terminate instantaneously with the development of arterial blood by the action of atmospheric air; and it would appear to be absolutely necessary, in order to preserve embryotic existence, that the blood of the embryo should be, perhaps, still farther removed from the arterial condition than the venous blood of the self-living animal.

It is contradictory to sound theory to suppose, that the placenta ought to supply the place of the lungs, or that any organ is wanted for their office, which is not only not required during fœtal life, but would be destructive of it. The same remark applies to the supposition, that the arterial blood of the mother acts upon the fœtal blood, similarly to the action of atmospheric air upon the blood in extra-uterine life, and it is contrary to fact to assert, that any change of the fœtal blood occurs in the placenta, similar to what occurs in the lungs during respiration. On the contrary, the condition of the fœtus bears an analogy to that of an hibernating animal in a state of winter sleep, and the mechanism of the placental vessels seems calculated to retard and dearterialize the maternal blood before its imbibition into the fœtal vessels, pretty much as the tortuosity of the arteries going to the brain in hibernating animals, and the vascular plexuses of tardigrade animals, are considered to be designed for an analogous object, and by a somewhat analogous mechanism. But however this may be, it is certain that the first development of independent existence, and the first manifestations of mind, are coincident with an alteration in the quality of the blood, and with a chemical change in that fluid. It is indeed doubtful, how the first inspiration is effected, but it may be suggested, that there is no necessity for supposing a single vital action, or a singular muscular movement, necessary for the first development of that chemical change in the blood, which endows it with the stimulating properties that launch the whole animal organism into independent existence. For the contact of atmospheric air with any vascular membrane, is followed of necessity by the usual chemical reaction of such air on the blood contained in such membrane, and this blood thus changed necessarily excites pro tanto the vital action of whatever part it flows through, (independently of any influence from

* P. 320.

† P. 139.

any central organ). Extra-uterine life may commence in the periphery, and extend to the centre, as death does sometimes. Besides, owing to the expansibility of gases, the atmospheric air, when brought into contact with the blood of any part, may operate on all the blood of the body, even before the mechanical movements of respiration have taken place (though very imperfectly indeed), yet sufficiently to impart to it the necessary stimulating properties. The circulation of the blood so acted on by the air, through the venous capillaries and trunks, is fully secured by that independence of the foetal circulation on respiration which we see exemplified in the fœtus before birth. Thus, blood more or less arterialized may reach the brain before a single movement of the respiratory muscles has taken place, and, once that blood, even imperfectly arterialized, has come in contact with the nervous matter of the brain, will, motion, sensation, in a word, independent life commence.

The blood of the new born infant is remarkable for its small proportion of water, and for its larger proportion of globules, for the first few days after birth, perhaps even for the whole period during which the infant preserves the very rosy colour which is peculiar to it for two or three weeks. The liability of children to convulsions during this period, especially for the first eight days, is a subject of common remark. From two to five weeks to five months, the proportion of globules diminishes. Now, when we consider the apparent immunity which infants enjoy from derangements of the intellect, and their great liability to convulsions, we are led to think that the one takes the place of the other at this early age, and it has been argued by Dr. Prichard, and others, that convulsions and various mental derangements are allied diseases. This view is supported by the facts, that convulsions and mental derangements are frequently combined; that the same organ is the instrument of mind and of muscular motion; that the one affection frequently passes into some form of the other; that in families hereditarily predisposed epilepsy or convulsions of some other form will appear in one member, mania, melancholy, or some mental derangement in another; and that the same exciting causes appear sometimes to produce one or other of those affections indifferently. It should also be borne in mind that the acknowledged exciting causes of convulsions in new-born infants are, all of them, such as must materially affect the composition of the blood, as impure air, indigestion, the state of health of the mother, &c. During the early months of infancy, only faint traces appear of that intellect by which man is distinguished from all other animals; but from the first dawn of the reasoning faculties to adult age, a period passes in which the mental faculties, the temper, and the disposition, have a marked general character, and differ essentially in their qualities from those of adult and old age. During the whole period of man's life, we find the quality of the blood is altered in a slow and regularly graduated manner, according to the development of the intellect, the character of the temper, of the dispositions, of the affections, &c. M. Denis concludes, from his analyses, as related in M. Lecanu's essay, that from three weeks to five months the proportion of water increases, the proportion of globules diminishes.

From five months to about forty years the proportion of water diminishes, the proportion of globules increases.

From forty to seventy years the proportion of water increases anew, and that of the globules also anew diminishes.

Thus we have a large proportion of globules in the blood, coincident with the most perfect period of the intellect of man, and *vice versa*. Can changes in the solid nervous matter be demonstrated to occur in an equal degree, and with such a gradual correspondence? The adult time of life, the period of the highest physical and mental development, the season of the passions, and of crime, but also of the most virtuous emotions and the most noble aspirations, is distinctly characterized by the highly organized condition of the blood, and it is at this period we find the greatest preponderance of red globules and of fibrine, in

fact, of those portions of the blood which are known to exist most intensely and most permanently the nervous tissue. In old age—man's second infancy—we find the composition of the blood again approximating to its infantile condition, whilst great differences exist at those two periods of life in the activity of the circulation in the brain, and in its solid structure.

It is well known how much the intellect, the disposition, &c., of individuals is modified by their natural temperament, and it is found, that the relative composition of the blood varies according to the difference of temperament. For instance, the proportion of water is greater and the proportion of globules less in the lymphatic than in the sanguine temperament, and *vice versa*.

The constitution of the mind of man differs from that of woman, so also does the quality of their blood; the blood of women, like that of lymphatic individuals, having a larger proportion of water and a smaller proportion of globules.

In fine, on comparing the statistics in M. Quetelet's work on man, with the analyses of the blood given in M. Lecanu's essay, we can scarcely avoid being struck by the correspondence between the variations in the average mental and moral qualities of man, and the variations in the quality of the blood, as such variations are produced and modified by sex, age, food, climate, temperament, &c.

The necessity for the maintenance of life and consciousness, of the circulation in the brain, of blood more or less perfect, has been proved experimentally; and Richerand says:—"The speedy death of an animal is produced by tying the ascending aorta in a herbivorous quadruped, or at the same time, the vertebrals and carotids; and death is most probably to be attributed to the interruption of the circulation in the brain of arterial blood; because, if, the moment the vertebrals have been tied, the pipe of a syringe be adapted to them, and any fluid whatever is then injected with a moderate degree of force, and at nearly the same intervals as those of the circulation, life will not be restored." The same author remarks that "the energy of the brain appears to depend on the quantity of arterial blood which it receives." Müller admits the influence which the quality of the blood exercises on the manifestations of the mind, and adduces examples of it. The invigorating influence of exercise, pure air, and the moderate use of wholesome and nutritious food on the intellect are well known; and I will only remark, that the *modus operandi* of these agents is explainable in a more direct, palpable, and intelligible manner, on the supposition, that they act through their influence on the quality of the blood, and hence on the brain (a mode of action admitted for them by Müller), than by recourse to that obscure and mysterious power called sympathy.

The influence of hunger and repletion on the animal economy is extended to the mind, but their first influence is probably on the composition of the blood.

Inordinate passions, exertions of the intellect and moral emotions, are known to exert a powerful and often a permanent influence on the brain; but though it has long been known that some of those mental affections, when intense, alter the quality of the blood, yet this fact has been little if at all noticed in explaining the causes of the permanent effects upon the intellect, which sometimes follow. But as persons who die from fits of anger have their blood in a fluid and uncoagulated state, so it may be inferred that mental emotions of less intensity may effect minor changes in the blood, but yet sufficient to impair its healthy action on the brain. Keeping in mind the rule laid down by Müller,* and strictly supported by induction, viz: "That the physician has to keep in view, as the first point in all abnormal conditions of the mental functions, merely the nature of the structural change by which the action is rendered abnormal or prevented," it is much more philosophical to attribute the permanent derangements of intellect which follow sudden and violent mental emotions to some physical change in the animal economy than to any reflex

* P. 821.

action of those emotions upon the mind itself, which would involve the supposition (hard to be conceived), that the immaterial mental essence becomes diseased. *Post-mortem* examinations have not established the occurrence of lesions in the solid structure of the brain in cases of sudden death, or of mental alienation, arising from intense mental emotions. The rapidity of the effect in those cases accords much better with the idea of a change in a fluid, so complex, so delicate, and so susceptible of alteration as the blood, than it does with the idea of a change in the solid structure of a body, so permanently organized as that of the brain; whilst any temporary change in the mere amount of blood circulating in the brain, or in the rate or mode of its circulation, cannot well be conceived as an efficient cause, *per se*, of symptoms so varied and so permanent. We read in Pringle, that "scurvy broke out with increased virulence immediately on the receipt of disastrous news by the army whose medical management he superintended, without any change in the physical comforts or circumstances of that army."

Here, again, we witness mental emotions, adding to the virulence of a disease, which is chiefly characterized by a morbid condition of the blood. With the progress of analytical and experimental science, the wide range of influence over the animal economy, previously attributed to sympathy, and other vague, occult, and mysterious agents, has been gradually narrowed. Thus, a great number of poisons, which heretofore were considered as acting, some directly on the nerves and others through a mysterious and ill-defined sympathy of one organ over another, are now proved to enter the blood, and to act through the blood, sometimes on the brain, sometimes on the heart, sometimes on the stomach, &c. In fact, many poisons applied locally, and directly, exert little influence on the part to which they are applied; and, on the contrary, act powerfully when introduced into the blood. "Before narcotic poisons can exert their general effects on the nervous system," says Müller, "they must enter the circulation. It is still, however, very common to attribute nervous disturbances arising in the course of affections of important organs, as of the stomach, liver, heart, lungs, uterus, &c., to the effects of sympathy on the part of the brain with those organs. I do think that even what remains of the doctrine of sympathy is carried to a greater length than is supported by facts, or rational induction. The doctrine and principle of sympathy, modified as it is at the present day, is quite unequal to the explanation of the infinite variety of the so-called sympathetic affections of the brain. Under such a doctrine the depraved tastes of chlorosis, and the fitful moods of hysteria, the morbidly clear intellect of cholera (which evinces no sympathy with a disease, the aspect of which strikes terror into the mind of all but the subject of it), the despondence, the delirium, or the coma of jaundice, the hypochondriasis of gastric dyspepsia, the active delirium of gastritis, the buoyant hopefulness of phthisis, and the oppressed brain of double bronchitis, become a tangled and inextricable web. On the other hand, we know that the blood is altered in many, perhaps we may truly say in every bodily disease which has a name in our nosology, and the changes which occur in the tone and temper of the mind and feelings in those diseases, seem capable of rational explanation, most simply and most naturally on the supposition of the reaction which the blood exerts on the nervous matter of the brain, according to its quality. How simple—how natural—how consistent with known facts is the notion, that the sympathies of the brain with various organs are effected through that vital fluid, the blood, which is changed in its qualities by every organic function of the body, and which, in its turn, reacts upon the nervous system! That delicacy, infinite diversity, and rapidity of change, of which a complex fluid like the blood is so much more susceptible than any solid, seem alone capable of explaining the minute shading of intellect, of character, and of feelings—the rapid alternation from one extreme of feeling and of thought to another, and the vast diversity of the human mind, whether in health or disease. The permanence and the same-

ness of form which distinguish solid structure, seem incompatible with such qualities. In the laughing gas, in intoxicating liquors, and in many of the narcotic poisons especially, we have familiar instances of the action of organic and inorganic matters mixed with the blood, in producing a great variety of allied, and yet distinct impressions on the intellect and moral feelings. The strong propensity to laughter, and rapid flow of vivid ideas produced by the inhalation of nitrous oxide gas—the muddled mirth arising from ale and porter—the sparkling wit which circulates with the flowing juice of the grape—the frenzy, half-joyous, half-quarrelsome disposition, which are the effects of whisky-drinking—the blissful delirium of the opium-eater—can vague sympathies—can altered combinations of solid molecules—can variations in the quantity, the mode, or the rate of the circulation of the blood in the brain—can any, or all of those in themselves, explain the minute, the endless variety of the modes of thought and feeling of which the above are a few instances? There are solid substances, no doubt, which produce the same effects on the brain as fluids, but to do so they must first be dissolved, and enter the blood. Then, and not until then, is the brain affected. In the action of narcotic poisons introduced into the stomach, not the least difference can be perceived, according to Müller, whether the nervous *vagus* has been divided or not. In like manner, certain descriptions of food affect the mind in specific modes, either owing to idiosyncrasies or as a normal law.

As the various organic and inorganic substances introduced into the blood *ab extra*, affect the brain in certain specific ways, what reason is there for supposing that organic, and inorganic substances, developed *ab intra* in the animal economy and circulating in the blood, will not exert also a specific action according to the properties of each? And what is this but the exercise of an influence, on the part of the blood, according to its qualities, over the functions of the brain, as a normal law of the animal economy? A healthy brain, acted on by healthy blood, produces healthy action, yet modified within certain limits, by the relative proportions, or more or less perfect organization of the natural constituents of the blood. And in diseased action of the mind, may we not have an abnormal constitution of the blood, owing to extraneous matters mixed therein, incompatible with the sane action of the brain? The various bodily functions and secretions are rarely, if ever, duly discharged, during, or even prior to, derangements of mind. Defective assimilation and elimination must vitiate the blood with crude or effete matter, and this matter may, of itself or in new combinations, form the morbid cause of insanity in many instances. The constituents of nitrous oxide gas, for instance, exist largely in the food and blood of man, and the development of this gas, which exercises such a powerful influence over the nervous system, is not impossible in the human body. And if this particular gas be not developed, yet there may be formed other equally potent bodies, whether fluid or gaseous, which, mixed with the blood, may exercise a sway equally uncontrollable over the human brain—when the bodily functions, from whatever cause, are not duly discharged, when bodily disease, however produced, is present, the elements, and more particularly the fluid elements of the individual organism whose functions are so deranged, and whose body is so diseased, are more or less released from the control of the laws peculiar to the specific organization of that individual, and fall more or less, perhaps, under the laws of some different type of animal organization, or even under those of vegetable life, or of inorganic matter. The vegetative formations which sometimes occur on the skin, particularly of persons fed on insufficient or unwholesome food, tumours and other morbid products, the putrid condition of the blood in scurvy, as well as in other diseases, appear to be extreme instances of such a vital degeneration. But how many abnormal compounds, how many new chemical combinations foreign to its normal constitution and to its healthy action, may arise in the blood, when the sway of the vital laws has been loosened, and when this complex fluid comes, even

very partially, under the influence of the chemical laws of inorganic matter, or the vital laws of lower types of organism? And what may be the influence of those new compounds and combinations on the brain? Those questions are suggestive of a field of observation as yet scarcely entered upon. The length to which those remarks have already run prevents my entering into a detailed investigation of the state of the nervous functions, in various bodily diseases in which an alteration of the quality of the blood is known to exist, and in which also the nature of that alteration has been at least partly ascertained.

I do not suppose that by such an investigation I could establish, in an unquestionable manner, that there exists any constant and definite dependence of one upon the other. The chemical analysis of the blood is perhaps as yet in too imperfect progress to expect such a result. Still less do the materials exist for drawing unquestionable inferences from the quality of the blood in purely mental diseases. In those so called purely mental affections little indeed is analytically known of the state of the blood. But I may say that what is known of the state of the blood in bodily and mental disease, tends to establish the *prima facie* inference at least, which I have advocated chiefly on physiological reasons in the foregoing pages. I may add, that even from my own limited observations on the quality of the blood, and its influence over the intellectual and moral functions, both in bodily and mental disease, I could put forward some considerations in support of the foregoing views, and at some future period I may, perhaps, venture to do so. On the other hand, I have not made one single observation contradictory of those views. But for the present, if I only succeed in directing a closer attention to the composition of the blood in mental affections, whether supposed to be pure or complicated with bodily ailments, or if I call forth the results of such observations, by parties better qualified than I am for the task, I shall have attained my chief object. Many of the points to be investigated, as directly or indirectly in connexion with this subject, will at once suggest themselves to all. Yet as it might somewhat facilitate the inquiry, to have all the chief points at least to be investigated, and the mode and means of investigating them brought at one view before the profession, it would be very desirable if a definite scheme or plan for such an inquiry were put forward by some party whose attention has been directed to this subject, and to the chemical details and manipulations connected with it. In our public hospitals for the treatment of the insane, all the combinations necessary for the successful prosecution of such an inquiry either already exist, or could be easily brought together.

ON THE PREVENTION OF CRIME.*

BY MR. M. D. HILL, Q.C., RECORDER OF BIRMINGHAM.

GENTLEMEN OF THE GRAND JURY,—At the Michaelmas sessions of last year, I addressed your predecessors on the repression of crime, confining, however, my remarks to one branch of that great subject—namely, the propriety of holding in restraint known malefactors, who could be shown on sufficient evidence to pursue crime as a calling, although by their dexterity and good fortune they had been able to elude the proof of any specific offence. This charge drew public attention to an extent for which I was not prepared. By those best acquainted with the class to be held in check, and with their manifold inflictions on society, I believe I may venture to state that it met with acceptance; but having been handled by men of acute minds, unguarded from error by practical experience, I ought not to wonder that a new question, or, at all events, a question new to

* An address delivered to the grand jury.

these critics, would call forth dissent as well as agreement—dissent exhibiting itself in a multitude of ingenious objections. If I had foreseen that any observations falling from me could have been deemed worthy of so much notice, I might have thought it prudent to offer my views to the public under circumstances which would have enabled me, by treating the subject in greater fulness than can well be done in a charge, to have answered by anticipation the objections which have been urged against me. My reply I intend to give on the present occasion, and, as I hope, without drawing too much on your patience. No doubt I might have taken an earlier opportunity of performing this task; but I thought it due to the diversity of opinion to which I have adverted to take ample time for a consideration of what I had submitted to your predecessors, in order that by a careful and (so far as any efforts of mine could insure it) a candid review of all that has been urged on the one side and the other, I might either maintain my position or retract my errors, and give at the same time publicity to the reasons which had led to my change of opinion. And, gentlemen, if I know myself, I should not have felt humiliated by such a retraction. On the contrary, it would have been satisfactory to me to reflect that the discussion which I had originated had proved the fallacy of a remedy which, having been plausible enough to mislead one searcher after truth, might decoy others of more power and influence, and thus lead to its being carried into action. This review I have at length made, and have weighed the arguments on both sides. I have also taken into account some general facts, which have either come into existence in the interval, or have been made more prominent than before; and I am bound to avow myself confirmed in my original views. Gentlemen, I submitted to your predecessors a speculative opinion and a practical proposal. My speculative opinion was, that all persons living without visible means of support, and who, in the belief of witnesses acquainted with their way of life, are maintaining themselves by crime as their stated calling, ought to be called upon to prove themselves in the enjoyment of some honest means of subsistence; and I further submitted that, in the absence of such proof, they should be bound to give sureties for good conduct; and again, that failing to give satisfactory security, they should be committed to prison for a limited period. This was my theory. And it was founded on the well known fact (which I pause for a moment to state has never yet been controverted), that each individual of the class of professional marauders is well known, both personally and by character, to the police and to his neighbours, and could be pointed out with perfect ease. From this fact I drew the consequence that society (having such means of knowledge within its reach) was not only justified, but bound to use it for the general protection. In my practical proposal, however, I stopped short, and limited the application of my theory to the cases of offenders who had already been convicted. I adopted this limitation for several reasons; one, that it is always well to proceed step by step in an untried course, or in a course comparatively untried; *another*, because convicted criminals form a large, and by far the most dangerous portion of the predatory class; and thirdly, because by conviction they have necessarily forfeited the confidence of society. That they have been guilty men is an established fact, while in the majority of instances there is neither evidence nor probability of their having abandoned their evil courses. Indeed, how should there be? The administration of the law proceeds on the principle of retribution. The criminal is convicted of a given offence, and has measured out to him a given length of punishment. It is true that, during his term of confinement, we take some steps to reform him, which are more or less adapted to attain that end. But his detention is neither in the first instance regulated by an estimate of the time required for that purpose, nor is there any power to continue it until his reformation is effected. The prisoner is afflicted with a moral disease, but the prison cannot be considered in the light of a hospital for its treatment without exposing the

administration of criminal justice to ridicule. For what should we think of a hospital for the cure of a malignant and infectious disease (and surely no disease can be more malignant or more infectious than crime), if the rule of its governors were to keep the patient, not until he is cured, but a week, a month, or a year, according to a principle of regulation quite irrespective of his condition at the time of his dismissal, and making it altogether a matter of accident whether he is relieved of his distemper, or whether he is sent forth to spread infection through the land.

As long, then, as punishment is measured out upon the retributive principle, so long an individual once convicted must remain an object of just and unavoidable suspicion, and the class to which he belongs may reasonably be selected for any experiment which the welfare of the community requires to be instituted. To those who have made it a topic of observation and inquiry, it is well known that criminals not unfrequently pursue a system of depredation with impunity for long periods. With regard to one man very lately sentenced to transportation, it has from peculiar circumstances occurred to me to know, that his career of crime has extended over more than thirty years without a single conviction; and I have strong reasons for believing that his is by no means a solitary case. Almost every newspaper contains some paragraph narrating a criminal exploit in which there is a combination of skill and boldness, marking out the perpetrator as experienced in the violation of the law. We often read of attacks in streets and other frequented thoroughfares, by ruffians who seem to have taken as their model the Indian Thug; and their feats prove them to be as dexterous as their masters, while in audacity they leave him far behind. Such outrages as these, gentlemen, are not the acts of tyros in villany. They imply the skill, the contempt of danger, and indifference to the sufferings of their victims, which training, and training alone, can give. And here we cannot shut our eyes to the fact, that our present system of punishment offers great facilities, not to say inducements, to a training to crime. In order to place this unhappy tendency in a clear light, let me suppose for a moment that it were the object of society to defeat the intention of its own laws, and to strengthen the propensity to crime in every individual in whom such propensity had ever been disclosed by the commission of an offence. Let us compare our present mode of proceeding, as to criminals, with that which we pursue when our wish is not to deter, but to stimulate and encourage. And I think you will observe a wonderful similarity. What is our treatment of our children in their education? Do we not give them short and easy lessons at first, lest they should be disgusted with learning at the outset, and so close their minds against the lessons of their teachers? And do we not augment their tasks with the growth of their strength, and in proportion as practice adds to their ability for mental application? Do we not, in short, graduate the rate of their progress according to their powers of action and endurance? Well, then, let us now consider our treatment of criminals. When the juvenile offender first presents himself at the bar we give him a slight imprisonment, just enough to accustom him to short separations from his companions, and to dispel the wholesome illusion which had made the gaol a place of fear, because it was a place of mystery. On the next occasion he remains longer; but he has become practised in prison life, and bears confinement far better than he would have done but for his former lesson. This process is repeated from time to time, while the moral which the wretched creature draws from his alternations of confinement and freedom is, not to refrain from offending, but to commit offences in such a manner as shall least expose him to the risk of detection; and, moreover, that when at length detected he ought to bear his privations with as much of contempt and defiance as he can command—consoled by the prospect of restored freedom and the hope of better fortune in future. Is not this, gentlemen, a fair parallel? And does it not show that our

treatment of malefactors is better calculated to confirm them in evil doing than to withdraw them from crime? It will be observed that I speak of the general working of our system. That there are many exceptions to the rule I am glad to believe. No man can appreciate more highly than I do the labours of many governors and many chaplains—aided, as they are often, by volunteers of both sexes, who look on the criminal, not as an outcast to be flung aside in contempt and hatred, but as an erring brother, to be reclaimed from guilt, if by the most strenuous and persevering efforts of well directed kindness that great end can be reached. If then, gentlemen, the foregoing remarks are well founded, the number of convicted malefactors roaming at large must excite much less of surprise than alarm; but I greatly fear that we are yet to expect considerable additions to this body. It is well known to you, as to all persons of education, that during the last forty years (dating from the time of that great and good man, Sir Samuel Romilly) there has been a steady progress made by the legislature in mitigating the severity of our criminal code, which, when he began his labours, was the most sanguinary to be found in the civilized world. Neither can it have escaped your observations, that the sentiment which has actuated the legislature has also prevailed in the administration of criminal justice. Indeed, society through all its gradations is imbued with a far milder spirit than in bygone times. The combined operation of these causes has been not only to shorten terms of imprisonment, but to make the severer penalty of transportation of less frequent occurrence in proportion to the number of convicts than heretofore—a circumstance which would have attracted more attention if the difficulty of ascertaining the numbers actually sent out of the country at different periods were less than it is and always has been. And now an additional obstacle in the way of transportation has arisen, which threatens very seriously to lessen, if not altogether to extinguish this kind of punishment. Penal colonies, planted by the mother country at a vast expense for the disposal of her convict population, and which formerly were the willing recipients of these degraded persons (gladly availing themselves of the ample supply of labour thus afforded for bringing their tracts of new land into cultivation) have at length discovered, that the moral evils incident on the importation of malefactors far outweigh the material benefits to which they (the colonists), had hitherto limited their calculations. It would be unbecoming in me, while sitting here, to enter into the controversies and heartburnings which have arisen out of this change in colonial policy. All that I desire at the present moment is to call your attention to the portentous consequences which may, and as I think must, result from the impediments thus thrown in the way of transportation, when taken in connexion with the causes to which I have adverted, as lessening the numbers on whom that punishment would be inflicted, even if the facilities for carrying it into effect were as great as they continued to be up to a recent period. This consequence is, the permanent augmentation around us in the number of liberated convicts. What that addition will amount to it is of course impossible to predict, but that it must be very large is pretty certain, from the experience of countries having no colonial outlets, and because, although sentences for transportation were at all times more frequently for limited terms of years than for life, so few returned, that the country might almost be said to be freed for ever from the presence of a convict when once he had left our shores.

Do not, gentlemen, mistake me by imagining that I am pronouncing an eulogy on transportation. Believe me, I bear too clearly in my mind the powerful and conclusive arguments by which it has been assailed. All I desire to impress on you is, that the stoppage of that great sewer which has for so many years carried away the dregs of our population, will produce a most unwholesome effect, other things remaining as they are; and that while the country adheres to the principle of retributive punishment (as it probably will

do long after the voice to which you so kindly listen is hushed in the grave), so long that pernicious effect will imperatively call for some special remedy—which remark brings me back to the consideration of the one laid before your predecessors, and of which I have already given you a sketch. This I will now more fully describe. I propose that every person who has been convicted of felony, or of a misdemeanour implying fraud (as obtaining goods under false pretences, knowingly passing base coin, and the like), shall be liable to be dealt with as follows:—If, after the expiration of his imprisonment under his conviction, he shall be brought before a magistrate, charged with still persevering in crime, it shall be the duty of the magistrate, if the witnesses by evidence of general conduct satisfy his mind that the charge is established, to call on the prisoner to show that he enjoys the means of honest subsistence either from his property, his labour, the kindness of his friends, the bounty of the charitable, or from his parish. Should he succeed in adducing this proof he is to be discharged. Should no such proof be forthcoming, he is next to be called upon to give bail for his good behaviour. Supposing him to answer this demand, he is to be still entitled to his discharge. But in the event of his failure, he is then to be held to bail on his own recognizances, and his case is to be sent to a jury at the assizes or sessions, when, if a verdict pass against him, he is to be imprisoned for a term to be fixed by the law, but capable of diminution by the judge before whom he is tried. This, gentlemen, is my proposal in detail, and, perhaps, it will appear to you, as it did to your predecessors (who honoured it with their approval when I submitted it to them in outline), that it sufficiently guards the accused against the danger of being deprived of his liberty on fallacious grounds. In the first place, no proceedings under the proposed law would put the convict into custody even for a day, except by the verdict of a jury; unless, indeed, he should forfeit his recognizances by not appearing to take his trial, when he would subject himself to the well-known consequences of such a contempt. Suppose him, then, on his trial, and observe how he is fenced round with protections, “covered,” as Erskine expresses it, “from head to foot with the panoply of the law.” In the first place, his accusers must satisfy the jury that he was at the time of his apprehension in the course of life which they charge upon him, not merely that he was so before his conviction. This evidence he will rebut, if he can, either by impeaching the character of the witnesses, showing that their statements are false or inconclusive, or by explaining away the facts established against him. And in this part of his case, as in all other parts, he may adduce witnesses of his own. But suppose him to fail in meeting the charge, he then falls back on his second defence, and shows the manner in which he subsists. Now, if he have in truth an honest income, it is not very easy even to imagine a set of circumstances which disable him from proving a fact so emphatically within his own knowledge. But we will go on to suppose him defeated in this second defence. Even then, unless he is altogether bereft of honest friends, having confidence that he will not commit crime, he finds bail and remains at liberty.

Now, gentlemen, the species of objection to which I thought my proposal most obnoxious is, that it offers too many chances of escape to be practically efficient for the restraint of criminals. On this head, however, none who are conversant with the life and habits of the class in question have the least misgiving, nor has that objection ever been advanced. On the contrary, the numerous attacks which the plan has undergone have been always directed against the danger of committing injustice on the convict. That such a miscarriage is within the limits of possibility I must admit, but that such trials as I propose are more open to this reproach than trials for specific offences, or so open, I do take upon myself, speaking from a very long experience in criminal courts, confidently to deny. No tribunal is infallible. No discovery has yet been made which supplies a sure touchstone to human testimony. And if the lamentable

fact that innocent men are sometimes convicted were sufficient for the condemnation of criminal jurisprudence, no mode of trial that the wit of man has ever invented could stand. But from the strain in which some writers have indulged, it might be supposed, if experience had not recorded a very different result, that trials for specific offences never failed of bringing out the truth, always acquitting the innocent, and ascertaining with exactitude the criminality of the guilty. One short statement will dispose of this fond belief, if any person is so misled as to entertain it. The brother of the Lord Chancellor, Mr. Edward Wilde, was the benevolent instrument, during his year of office as Sheriff of London, of saving six persons from death, showing on one occasion that the prisoner was clearly innocent; on others, that conclusions had been hastily drawn from facts which did not justify them, and thus nullifying the proofs of guilt; and with regard to the remainder, adducing evidence which went so far to mitigate their conduct, as to prove that to put them to death would be a most unjustifiable measure of severity. Whoever to whom these events are known as they were to me from time to time as they occurred—whoever reflects that they happened in one court and in one year (nay, in less than one year, for Mr. Wilde held office only for ten months), must see that confining the charge to one specific transaction by no means ensures success in the attainment of the truth. One source of miscarriage is, indeed, peculiar to such trials, and that happens to be the most frequent by which the administration of justice is beset. I allude to mistakes as to the identity of the prisoner with the party really guilty. Misconceptions of this kind belong only to moments of time (or at all events to very short periods), and cannot occur when the question relates to general conduct and the tenour of a man's life. Moreover, when a specific offence is charged, it is no conclusive answer (nor can it be) that the prisoner had means of livelihood, and therefore is not to be supposed guilty, which in the prosecutions suggested by me it is always competent to furnish. And now let me, gentlemen, ask a plain question. Is a man who has already been convicted, whose conduct is such that a jury is satisfied he is still a malefactor, who, being then called on to explain how he obtains his livelihood, has no answer to give, who is so distrusted by all the world that he cannot find bail for his good conduct; is that man—that pest of society—to remain at large? Ought we, on the mere surmise that errors may creep into the trial of such persons (in spite of all the care which has been taken to exclude them), to hold back from the exercise of a jurisdiction of admitted potency for the attainment of its object, when that object is clearly of such vital importance? Gentlemen, the crying necessity of this jurisdiction so presses itself on my mind that I cannot refrain from adverting to it once more. But few days have elapsed since the part of England in which I reside (the county of Somerset) was the scene of an appalling outrage, filling the district with indignation and horror. A girl, fifteen years old, was left by her parents alone at their dwelling, during the necessary attendance at the neighbouring market of Frome. On their return home, they found her dead body stretched on the floor and dabbled in blood. In the open day—in a house not distant from others of the hamlet, and near to a main road—had this unhappy girl lost her life in the defence, and, alas! in the unsuccessful defence, of her purity! The pangs of death were sharpened by the cruel ignominy of violation. How much less hideous had been her fate—how much less bitter the grief of her bereaved parents, had she been devoured by a beast of prey! Her image would then have dwelt in their memory unsullied by those revolting associations of pollution with which it will now for ever be mingled. Is the convict, then, I ask, to exhaust all our sympathies?

Are we to have no thought for the myriads of honest and faithful subjects exposed to the same frightful perils, deeply feeling the want of protection, the comfort of whose lives is oftentimes destroyed by the perpetual fear which harasses their minds? But, gentlemen, we almost always find that an over-wrought

strictness in one direction is balanced by some glaring laxity in another. Writers who evince the greatest trepidation at the proposal to which your attention has been drawn, themselves urge the adoption of an alternative infinitely more perilous to innocence than the most distorted imagination can figure to itself out of mine. Deliberate advice has been given, that each man should defend his dwelling with fire-arms. Let us pause for a moment to examine what this advice implies. It implies that a person suddenly aroused from sleep, in the dead of night, and in all the disturbance of mind which an impending conflict must produce, is, while pointing his blunderbuss and drawing the trigger, to accuse, try, and condemn a suspected burglar, discerned for an instant in the dark, and to execute upon him the irrevocable doom of a capital punishment. Surely, for such very fastidious legislators, this is a somewhat startling recommendation. But what has resulted from the promulgation of this advice? Gentlemen, within a very short interval of time, two innocent persons, one of them an officer of police—a protector, instead of an assailant—have fallen, by the hands of clergymen too, who (as we should all agree), if the power could be safely exercised by any class of the community, are best entitled to the trust, by the self-restraint and the merciful spirit which pertain to their sacred calling, and by the reluctance which, above all others, they must feel at sending a fellow-creature to his account with all his sins upon his head. Nevertheless, gentlemen, if the law will permit known ruffians to remain at large, these barbarous remedies, perhaps, cannot, and most certainly will not, be dispensed with; yet, who does not see that any method of trial, however rude and defective, even Lynch-law itself, is infinitely to be preferred? I have now, gentlemen, I trust, shown that my plan is not open to the objections which have been raised against it; but I cannot conclude without (paradoxical as it may appear) avowing that I am far more gratified than disconcerted at these objections. They prove how deeply Englishmen are imbued with instinctive reverence for the liberty of the subject. This, like every other sentiment, may be carried to an unwarranted length. On the question before you I think it has been so treated; but I for one will ever bear in mind that personal freedom is the surest foundation of our other liberties, and that hostility to any interference with it challenges my respect, even when it exceeds the limits of a reasonable jealousy. If, then, on calm consideration, my proposal shall be found, by the verdict of reflective men, unwisely to infringe on that noble privilege, none will rejoice more sincerely than myself that I have not been taken at my word. Grateful shall I be to those who will have saved me from the life-long sorrow of having inflicted injury where I had humbly hoped to suggest an important benefit. Thanks, gentlemen, for your patience—your task is finished.

PRIVATE ASYLUMS.

SEVERAL correspondents have written to us, complaining of the unprofessional conduct of a few proprietors of private asylums. This is a subject into which we cannot now fully enter. We have no hesitation, however, in expressing our concurrence in the view taken by nearly all who have addressed us on the subject, and of protesting against the quackish mode which some adopt to puff themselves and their establishments into temporary notoriety. The system pursued by these men is, we admit, calculated to injure materially the character of *all* private establishments, to limit their sphere of usefulness, and to degrade the proprietors in public and professional estimation. All respectable men should set their

faces against the disgusting practice referred to. If a man imagines that by investing 300*l.* or 400*l.* a-year in puffing advertisements, he will be able to escape from his legitimate insignificance, and fill his asylum with patients, he will find, to his cost, that he has much overrated both the credulity of the public and profession. Unless proceedings like these are discountenanced, men of character, experience, and delicacy of feeling, will retire altogether from the management of these institutions, and they will be left solely to the conduct of any ignorant monied adventurer who may consider this a good mode of investing his capital. The profession, as a body, should refuse its support to men who by their proceedings thus degrade an honourable professional occupation. A correspondent has referred to the proceedings of one proprietor of a private asylum, who is in the habit of visiting occasionally provincial towns, calling upon the resident medical men, and introducing himself and puffing his establishment. In some instances, where this person is refused admission into the hall, he satisfies himself with impudently pushing under the front door a large card, upon which is engraved a sketch of his "splendid establishment," with a quantity of letter-press descriptive of the wonderful capabilities of himself and his house. This man has, in his proceedings, gone somewhat in advance of "Professor Holloway" and "Messrs. Morison and Moat;" for these pill-mongers satisfy themselves with advertising their nostrums, whilst the party to whom we refer travels about the country like a hawk in search of stray lunatics. We have heard of a London physician of some standing repudiating, in indignant language, the assumption that he was "specially engaged in the treatment of the insane;" and we heard a physician, also of position, say, that he should consider it less degrading to keep a public-house than an asylum.

Why should this feeling exist? Is it not in the main owing to the disreputable proceedings of a few illiterate pseudo-medical men who have embarked in this speciality, with no other object than that of self-aggrandizement? If medical men, of whose sagacity, learning, and even existence, the profession and public are, alas! in a state of lamentable ignorance, think it necessary to advertise themselves and their asylums, they should do so decently. The occasional announcement of the name and locality of the house ought to be deemed sufficient; but when they attempt to throw Mr. Robins in the shade by offensive puffs of themselves and exaggerated descriptions of their establishments, and do this continually, it cannot prove otherwise than derogatory and degrading to the profession. To the public we say, beware of the men and asylums thus constantly obtruded upon your notice. The profession will, we have no doubt, exercise a just discrimination in the matter.

A CASE FOR MEDICAL CHARITY.—A general practitioner, resident in the country, has requested us to make known his case to the profession. The party referred to is at this moment in great pecuniary difficulties. An attack of paralysis, from which he has for some period suffered, has completely crippled all his efforts to pursue his profession. He writes that he is almost in want of the necessities of life, and that the work-house stares him in the face. The Editor of this journal has, by personal observation, ascertained the truth of the gentleman's assertions, and he can conscientiously recommend the case to the kind hearts of his readers. It will afford him much pleasure to place any of his friends in communication with the party.

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ART. I.—CRIME, EDUCATION, AND INSANITY.*

REASON perplexes herself in vain for terms to define man in an irrational state. It is difficult to conceive of him as a mere animal; to divest him altogether of his intellectual attributes; to view him as a creation "in the form of God," and yet deprived of those faculties of memory, reflection, deduction, and calculation which essentially constitute the figurative resemblance: once degraded from humanity, his animal nature falls below the level of the brutes, for they never lose instinct but with life, and remain subject to self-preserving restraint. Language was not made for the portraiture of this anomalous condition; we are at a loss to express it even by paraphrase, or to idealize it with sufficient accuracy to convey the idea with perspicuity. So rare is the occurrence, that we have but one instance on scriptural record of a total separation of body and mind while life was still existent; and even this is only represented to us by one or two distinguishing traits that serve rather to indicate the grossness of the degradation than the new character of the subject of it. We learn that Nebuchadnezzar "was driven from men and did eat grass as oxen, and his body was wet with the dew of heaven, till his hairs were grown like eagle's feathers, and his nails like bird's claws." As a total prostration of humanity, the picture is complete; but we are left in ignorance of the extent to which human passions, human desires, or the appetites pecu-

* An Enquiry into the Extent and Causes of Juvenile Depravity. By Thomas Beggs, Gilpin.

On Crime. By Mr. Flint. Gilpin.

Moral and Educational Statistics. By J. Fletcher, Esq.

liar to humanity, were obliterated. As the severance of body and reason was total, and the degradation was designed for punishment, it is probable that the passions and desires remained, but without the power of gratification; unless we are to infer from the expression that his "understanding returned unto him," a temporary alienation of the soul from the body, during which the soul was in a state of suffering—an inference that may possibly be correct; for we are told that his punishment was to continue till he should "know that the Most High ruleth in the kingdom of men, and giveth it to whomsoever he will." This was a knowledge which an irrational being could not attain, as a conviction produced by suffering. It may be, therefore, that the intellectual and immaterial essence was in this case removed, and not that its functions were suspended; while the body it had inhabited, though not actually disengaged from its affections, was left wholly unfettered by its control, and unguided by its intelligence. It is idle to prosecute the speculative inquiry.

While we are at a loss to define intelligibly the status of human existence wholly apart from intellect or reason, the total severance of body and soul is an idea, if not intuitive, yet easily received, and confirmed by revelation as well as instilled by education; but the partial paralysis of the mind or soul, while yet in union with the body, affords a problem of which we can feel the difficulty, though we can find no words to convey it. Our passions are involved in a net of correlative intricacy; they are so interlaced with each other that a fibre cannot be wounded without affecting the sensibility of all. It is like a system of complicated machinery, in which the absence of a single screw may derange the whole, and put it out of working gear. The defect may be so trivial that the engineer cannot discover it: he examines the piston, the valves, the gauge, and all the apparatus; inspection can detect no flaw; there is no actual cessation of action, but it "does not work well." The engine is deranged, not incapacitated; his remedy is simple, though expensive; he takes it to pieces, and adjusts the parts again: but the derangement of the mind admits of no such process: we must bear with the bad working till close observation and long experience aid us in discovering the cause of failure; and if meanwhile we are called upon to explain the mystery, our only answer is, that our machinery is "not in working gear."

A closer examination into this web of human passions may be of service. It will not be disputed that there are to be found in every man, though modified in degree, the same dispositions to gratify, the same desires to be satisfied. The modification arises from difference of circumstances: it may be of constitution, of example, of opportunity, or

otherwise; but the same nature that we all inherit, dictates to us the gratification of our animal wants: hunger, thirst, procreation, and self-protection, and, so far as consists with these, rest, are the desires which nature has implanted in us. Such is the impetuosity of these desires in animal nature not controlled by reason, that the brute creation will endanger life itself to gratify the three first, and are gifted with instinctive means to secure the others; but man, as an animal, is gregarious, and, as an intellectual animal, has convinced himself that society requires for its common safety the restraint of animal desires. To facilitate this self-restraint, the same intellectual faculty has suggested a gratification yet higher than that of animal passion, in self-complacency derived from the approbation of his fellows. Vanity will not persuade a man to die of hunger or thirst, but it will go far to keep him within the limits of due moderation, and to promote self-denial. His nature compels sociality; this is his animal instinct. His reason tells him that society has its laws, founded on what may be called a reciprocity of self-restraint. This is the position in which we find ourselves placed by nature as intellectual animals.

It is obvious that if there were an exact parity of circumstances, of motive, and of opportunity, we should be reduced to an instinctive state of existence. Like bees in a hive, we should do our duty as good citizens, each in his sphere, and nobody transgressing or falling short of his proper limit. We are not, however, mere animals, similarly circumstanced, but responsible beings; and to secure this responsibility, it has pleased the Creator to place us under variety of circumstances, affording variety of temptation. To some are given vivacity of temperament and robust health, tempting to sensuality; to some unbounded wealth, affording the solicitation of frequent opportunity; to others, and far more frequently, privation and distress that seduce into dishonest paths. Some are endowed with rank so exalted as to place them above the decencies of life; while others are depressed so low as not even to understand them: one can offend with impunity because he cannot lose caste; another has no caste to lose, and is, therefore, equally unrestrained. In all these varieties of position, the animal wants common to our race must be gratified alike; but the means of gratification being unequal, the inequality of means provokes a corresponding inequality of passion and of pursuit. The wealthy sensualist indulges in daily potations, large perhaps and enervating, but not intoxicating. The pauper sensualist lives like a hermit till Saturday night, and then gets drunk with gin. The rich debauchee, always gratified to satiety, degenerates into a saturated clod of earth; the needy drunkard alternates between the extreme of depression and the wild excitement of occasional

inebriety; the former becomes morose, unreasonable, and tyrannical; the latter cunning, vindictive, and desponding; the first is uniformly indolent; the last, idle and energetic by turns. Or, perhaps, intemperance is not, in its grosser forms, the besetting sin in either case. Infirmary of body or early habit may prevent it; riches and opportunity may assault in another direction, and tempt their possessor to the purchase of power; power tends to oppression, oppression to resistance, and resistance to revenge. So, on the other hand, poverty may provoke to discontent, and discontent to rapacity and violence.

Nor is it only in the perversion of means to subserve licentious excess, but in the adaptation of them to legitimate gratification, that infinite scope is afforded for the range of passion; the trader begins in frugality and ends in avarice; the ingenuity of the mechanic often terminates in the gambling of the speculating patentee; the man of science pushes analysis and research to the verge of scepticism in revealed truth; perhaps (we say it doubtingly) the statesman may start in his career in a patriotic spirit, while the chances are a hundred to one that he closes it in political corruption, or selfish and unscrupulous ambition.

To check the vehemence of these passions, and correct their downward tendency, society has invented a double system of restraint; religion has imposed a third, more powerful than either; the decalogue has enumerated and prohibited specific offences of heinous guilt, under penalty of incurring the wrath of God; and the gospel has extended the prohibition and the penalty to the spirit as well as the letter of the offence. But we are not all religious; and therefore, to secure the common peace, society has promulgated her own codes in aid of the divine law: where passion is indulged to an extent that works actual injury or risk to others, legislation steps in to define the crime and visit it with appropriate punishment. This is one part of our restraining system; but it is clearly applicable only to cases where an evil intent is manifested by overt acts, and such as can be well defined not only by words but by their practical results. We can justly punish, because we can accurately describe, murder, theft, arson, forgery, and such like crimes; but, consistently with due regard to freedom, we cannot recognise constructive crime as a fair subject of penal enactment; in some instances we have gone to the very verge of discretion in the latitude of our legislative wisdom, but, in all free states, crime must be accurately defined, so as to admit of accurate proof, before it can be rendered penal.

Yet passion may be indulged to a very culpable excess, without transgressing the boundary that legislation has declared; to provide

some restraint even in such cases, society has attached to this culpability what may be called a moral penalty, in the forfeiture of its good opinion; thus availing itself of a peculiarity of our nature which was, doubtless, implanted in us for good purposes, though often productive of the worst. It cannot be that men were created to live together, and yet to be indifferent to the esteem and respect of their fellow-creatures: to set this up as a paramount motive, would be to disobey the command to fear God rather than man; to disregard it as a secondary motive, is to despise the example of Christ Himself, who, as He grew in stature, grew in favour also both with God and man. Society, therefore, has wisely imported this principle into her restraining system; and, by force of it, the woman who has surrendered her virtue, the man who has seduced her into falling, or who has been convicted of malicious falsehood, of fraudulent practices, of breach of trust, of violating good faith, such as opening or betraying a private letter, eaves-dropping, vindictive slander, or any other sin against the so-called code of honour, is tacitly shunned as one who wants nothing of legal criminality, but the courage to defy its penal consequences. And, on the other hand, the man who acts rigorously up to this conventional decency of the world, finds himself so protected by its smiles, that he may cut his neighbour's throat if he will, provided he does it in a gentlemanly way, by tendering his own to a similar process!

And thus by the very restraints imposed upon our passions, ultra their necessary stimulus to provide for the wants of our animal nature, a new impulse to excess is given to us in the gratification of that pride or vanity which, when rationally indulged, supplies the best security for conforming to social usages. Even for this licentious self-complacency, society has found an appropriate and, generally, an efficient remedy in ridicule and laughter; its displeasure may lose its acerbity, but it is not the less painfully felt or the less openly expressed.

This exposition of the working of our passions from their first legitimate use of opportunity to the ultimate abuse of it, may perhaps appear elaborately commonplace; we introduce it to show the infinite gradations that are found in the relaxation of the control of reason, from the first and perhaps momentary indulgence of passion beyond the supply of animal wants, till the chronic indulgence of it carries the offender beyond the limits affixed by law. Strictly and metaphysically, the very first post-prandial glass of wine beyond the allowance which animal want dictates for the restoration of exhausted nature, is a self-indulgence which reason forbids; and is, therefore, as much an act of an irrational animal as self-investiture in a diadem of straw. It disturbs no faculty of ratiocination, it is true; sometimes it improves the power, and if the extra glass is taken with that view, it is a rational, not an

irrational act; but if taken merely to please the palate, or to produce a little, brief, pleasurable excitement, the natural appetite being already appeased, it becomes an excess of the restraint which reason imposes, and is, *pro tanto*, the act of an irrational being. So, again, in the trader's case; all trade is, in some sense, a speculation on contingencies; so long as the speculation is governed by knowledge of the market, and by calculations founded on experience, it is rational and legitimate, if the risk is fairly within the limits of his capital; but a single adventure, however small, if not hedged round with these protective circumstances, assumes the gambling character, and proves that the passion of avarice has been carried beyond the limit prescribed by reason; it then becomes the act of an irrational animal. Once more, an honest barber in a borough town may usefully devote a leisure hour to parochial matters in the vestry; he is talkative, fluent, and good-humoured, and, of course, carries all before him; he reduces a rate, or removes a nuisance, and makes himself useful to his neighbours—all this is rational and praiseworthy: elated by success, and presuming on the good will he has secured, he offers himself, at the next vacancy, as a candidate to represent the borough in opposition to Lord John or Sir Robert, the owner of half the town; here reason, for the moment, has ceased to exercise control—vanity has been indulged beyond a useful purpose—he acts irrationally, and is laughed at.

Such casual and trifling disobedience to reason we designate as simple folly. It amounts to no more than a verification of the old adage, "*nemo mortalium*," &c. Yet, if often repeated, the control of reason is often suspended; if habitually repeated, irrationality becomes habitual; and inasmuch as passion of any kind cannot be habitually indulged without acquiring additional strength by the indulgence, as the cause becomes more powerful the effect becomes more marked; reason is eventually defeated in the struggle, and a state of confirmed lunacy is induced. The approximation to this state may be by degrees almost imperceptible; it may be accelerated by accident, such as wounds, disease, or domestic anxiety; anything tending to unusual excitement may cause more frequent resort to the accustomed irrational gratification; and so it may be retarded by similar accident; the restraint of an unexpected guest, a sudden necessity for travelling or change of residence, even illness of a lowering kind, may suspend the opportunity or the inclination for the wonted indulgence; or the indulgence of one passion may, for a time, be neutralized by the opportunity of yielding to another of antagonistic character. Where casual irrationality slides into chronic irrationality thus slowly and subject to such interruptions, it will cease to excite suspicion that our most experienced men of science, feel and generally avow their inability to define the state; a

single drop makes the glass flow over, yet the most accurate eye cannot determine whether the glass will receive one or fifty more without overflowing. It is as difficult to determine the precise moment when passion has overpowered reason and ejected her from her seat, as it often is to fix the minute when death has separated the body and the soul; we feel for the drooping pulse, and put the feather to the lips, and long watch, in silent agony, before we dare close the half-shut eye, and announce that the spirit has departed. A remark in the Report of the Commissioners in Lunacy, of 1847, respecting idiocy, is equally applicable to every class of mania not marked by visible symptoms of organic disease: "It comprises within its limits many intermediate forms, some of which pass into each other by insensible gradations, and are not easily distinguishable by language, although the extremes are well defined and very remote from each other."

It is for this reason that the facts which are commonly presented to medical witnesses, as criteria to test the sanity of a party, are often absurdly equivocal. In the recent inquiry into Mrs. Cumming's case, the attention bestowed on half-a-dozen cats was gravely tendered as a proof of irrationality: as if every old woman in the country had not half-a-dozen pets of one kind or other at her elbow. In other cases, slovenliness of dress, jealousy of female attendants, apprehension of domestic treachery, and even eternal scribbling, have been quoted as evidences of an alienated reason, sufficient to satisfy the physician, whose opinion is to guide a jury. If the question were only whether these were failings inconsistent with a well-regulated mind, that is, a mind governing its will by certain fixed utilitarian principles, such facts would be relevant to the issue; nor can it be denied, that an accumulation of habits decidedly eccentric and motiveless, warrants a suspicion of derangement; though, even in that case, it is only suspicion in aid of proof. No single fact, nor any accumulation of facts, for each of which a possible, though inadequate, reason may be assigned, is, *per se*, conclusive of irrationality: as, for example, had it been proved that Mrs. Cumming was in the habit of walking backwards in the park for half-an-hour daily, what stress would have been laid on such a peculiarity! Yet no man can take a pedestrian tour through Wales, without occasionally witnessing a similar exhibition in well-dressed, sensible-looking young gentlemen; it being well known to all addicted to such amusement, that the intercostal muscles are greatly relieved, especially in ascending hills, by a change to backward walking. Apprehension of domestic treachery is always a favourite topic with the pro-lunacy counsel; yet one of the most eminent artists of the day, whose intellect is as brilliant as his colours, for many years pursued the habit, and perhaps pursues it still, dictated by similar distrust, of baking his own

bread, grinding his own flour, and dressing his own dinner, with the same hands that give enchanting animation to his canvas. A single act may be ultra the restraint of reason ; even an habitual practice may be motiveless to absurdity, and to that extent, irrational, and yet common sense forbids us to regard it as diagnostic of insanity. It may warrant the conclusion that the agent does not appreciate the force of that conventional code of discipline which we have just described ; it may justify censure or ridicule as an error in good sense, a breach of good manners, or an offence to good taste, but it does not argue settled irrationality. Nebuchadnezzar, on being restored to understanding, might have retained in his palace some of the freedoms of his seven years apprenticeship to brutality ; he may still have found dress an incumbrance, ablution a painful nuisance, and all the restraints that decency imposes on social intercourse, for a time unnatural. It is probable, from the narrative, that these mementos of his humiliation were not abruptly removed ; yet we cannot, consistently with the truth of Scripture, contend that they ought to have been received as evidence of continuing irrationality, for the precise limit of his mental alienation was prophetically fixed ; nor would such a diagnosis have been correct, even if he had vindicated the adherence to his bestial habits. He might have plausibly urged, that a sudden change to the warmth of clothing would be prejudicial to his bodily health ; that frequent washing was painful to the new cuticle ; that the peristaltic action would be impeded by needless control. Such reasoning would at least have been plausible ; yet, in modern times, it would have been quoted by Sir Frederick Thesiger as indicative only of the acknowledged cunning of confirmed insanity, and, *malgré* the prophetic limit, a jury would have found him incapable of managing his own affairs, though the Creator had restored his kingdom as well as his understanding.

As acts of irrationality multiply in their frequency or their kind, they may be safely received as indications of a progressive struggle going on between reason and passion, and that the latter is gradually gaining the mastery, but not that the victory is obtained. The abuse of opium furnishes a convenient illustration of our meaning. Its essential medicinal property is so well understood, that men frequently resort to it as a sedative, without duly appreciating it as a stimulant ; the dose is repeated till its pleasurable excitement becomes familiar, and then the limit of its medicinal use is transgressed, regardless of its noxious qualities. This is the first act of irrationality. Taken singly, it argues no more than similar excess in the indulgence of wine ; it is only the first glass beyond the just supply of natural want : yet a systematic abuse of the drug is a much stronger symptom of the approaching surrender of reason to passion, than a similar abuse of the wine, because

the offender cannot be unconscious of the comparative rapidity and greater certainty of the poison; he daily feels that the want and its gratification act reciprocally on each other with fatal effect, not only on his understanding, but on life itself, and yet he courts his enemy and the conflict. But though the symptom is stronger, still it is not conclusive: reason is not yet conquered. The victim himself feels her dictates, and often struggles for a time to obey them. He gradually reduces the indulgence by half-a-grain a day. If he steadily maintains his resolution, reason has triumphed, and he rallies; but in the large majority of cases, resolution fails: he returns to his excess, and then the only question is, whether reason will take her departure before an early death effects her total separation from the body whose passions have estranged her.

So, too, where the acts of irrationality multiply in kind, as well as frequency or degree. If the same excess of vanity that leads an honest barber to propose himself for parliament, tempts him to array his person in military uniform, and decorate his breast with spurious clasps and medals, we cease to ridicule his folly, because we begin to doubt his sanity; it is a step in advance, but it is not conclusive. We remember an instance of this kind during the short peace of 1814. A youth of eighteen, the follower of a very humble and peaceful occupation, was not only accustomed to assume the warlike garb, but more than once thrust himself, in his borrowed plumes, into the gayest military circles. He was soon detected, and punished with deserved ridicule: yet he was not irrational; and on the contrary, for eight-and-thirty years he has maintained a high reputation for accomplished vice, without the good fortune to excite a transient suspicion of any intellectual deficiency! To proceed with our illustration; let the barber, in addition to his other antics, offer his hand to Miss Burdett Coutts, or tender his acceptance for a few thousands for discount at the Bank of England, his preposterous pretensions tend largely to the same conclusion, though still they do not establish it; for marriage with a wealthy heiress, or even credit to a large amount, may enable him to buy a seat in parliament, or establish himself as colonel of a yeomanry regiment, and thus realize his dreams. All these supposed extravagancies are but so many cumulative proofs of the excess to which vanity is carried beyond its use as a utilitarian principle; they may terminate in alienation of mind, but do not prove her actual departure. If, however, simultaneously with these absurdities, the unhappy wretch now and then mistakes a grate of hot coals for his chair, or seeks to draw a glass of ale from the spout of a boiling kettle, or shaves a customer's head in lieu of his chin, this multiplication of irrational acts, in kind as well as degree, justifies the conclusion that reason has

actually vacated her throne, though the precise moment of the abdication may remain as problematical as ever.

There is a remarkable feature in that perpetual struggle between passion and reason, which terminates in insanity in the manner we have described. From the first commencement of the conflict to its termination, reason is forewarned of the ultimate result. A single glass taken in excess, or a cheerful glass, as it is frequently called, is always followed by some proportionate depression when the power of the stimulus is exhausted. If the abuse has been but slight, the depression is transient, and speedily removed by the excitement of business and daily duty; if the abuse has been considerable, the depression will cause a temporary incapacity for duty; if it has been unbounded, physical incapacity supervenes, and this unconsciousness is followed by utter prostration of spirit. These stages of intoxication are well understood by the vulgar phrases of "fresh," "drunk," "gloriously drunk." The excitement is well observed, and tersely described, by the class in which it is common, but the subsequent depression eludes their observation. The opium-eater exhibits this alternation of gaiety and sadness in a more decided form. In his case, intoxication is elysium, and its sequence, hell: and so it is, more or less, with every struggle between passion and reason. The calmness of self-possession gradually becomes unknown. We perceive this feature clearly in the familiar instance of intoxication. It is equally marked, though less distinguishable by the unphilosophic eye, in all cases of contention between the appetites and the reason. Gratification gives delight, but it is transient, and vanishes in self-disgust, till new gratification revives the delight in a less intense degree, and for a still more transitory existence: eventually, even gratification itself palls upon the taste; all pleasure is lost, and incurable despondency ensues. Miserly avarice, perhaps, is an exception to the rule; but if an exception, it is only because the passion is, from its nature, insatiable, and absolute gratification unattainable; and even avarice to be an exception, must be miserly, for when it assumes the form of gambling, the opium-eater's languor is bliss, compared to the gamester's remorse.

It cannot be doubted that these retributory warnings, inseparable as they are from all excess in the indulgence of our animal passions, are mercifully designed to give reason time to rally; to afford fair opportunity for reflection; to enable her to resist the next temptation with more fortitude and effect; for it is indisputable that up to a certain point, when physical suffering has actually exhausted the energy of the mind, its power is never so great as when the mere animal is subdued into torpidity by satiety, the excitement of sensual gratification having worn itself out: in religious language, conscience then begins to awake;

in metaphysical language, we should say that reason then exerts her power ; she looks back, she calculates, she estimates the past and plans for the future ; and she resolves. We well know that by her own strength alone, her resolutions will be wanting in constancy ; but we are considering the matter as philosophers, not as divines, and we therefore abjure discussion of her self-sufficiency : we only aver the fact that reason is most awakened and most powerful in the intervals of animal excitement, and it is a most important fact in that psychological theory for which we are contending : it is the remark of every commentator that our Saviour, when tempted in the wilderness, an occasion when he stood alone in his humanity, found himself in a state of almost super-human endurance ; that the design (if it is permitted so to speak of the mysteries of revelation) was to add all possible force to the temptation by the predominance of animal want ; it was expedient to show to us for whom the atonement was made, that the sacrifice was immaculate ; the very nature of the temptations offered, and of the indignant repulse given to them, proves that his humanity was, as it were, momentarily deserted by his divinity ; he repelled Satan by reference to God, and not by any inherent power in himself : and to make his human innocence, if we may be allowed the expression, more conspicuous, the trial was aggravated by physical suffering of the precise kind that the temptation appeared calculated to relieve. We are entitled to infer from this that reason is the weakest, when passion or desire is at its culminating point ; and that as desire is satisfied, reason resumes her sway.

And it is through this interlocutory cessation of strife that, in the large majority of cases, in the earlier stages of the conflict, reason recovers her superiority once and for ever : shame at the self-exposure (for reason always desires to veil her own infirmities as well as those of the frail tenement she inhabits), apprehension of more serious consequences, and where principle has been instilled by education, a consciousness of sin, combine to strengthen determination for the future ; and temptation resisted with success, loses power after every defeat.

Nor is it unfrequently that we find, in more advanced stages, that a counteracting influence is brought in aid of reason, when beginning to faint from the exhaustion of reiterated assault, by another inevitable result of habitual self-indulgence ; the sickness and debility of the organs that it has sought to gratify. It needs not the authority of science to assure us, that in whatever direction passion is indulged to excess, actual disease of the organ thereby kept in constant excitement, will sooner or later follow ; and from the sympathy that exists between every portion of the body and the brain, and more especially and perceptibly, between the stomach and the brain, affections of the nervous

system are usually the first visible fruits of organic derangement. It is not necessarily the case that the cerebral substance is appreciably altered in its structure: when that occurs in certain parts of the brain, the symptoms of insanity are no longer equivocal; but long before disease has attained that height, the patient is conscious of pain, dulness of perception, impairment of memory and irregularity of thought: in some cases slight epileptic or paralytic affections add their premonitory hints: and in all cases the taste for the favourite indulgence is temporarily checked. The alarm thus given, and yet more, the abridgment of opportunity by the physician, and the languor of the depraved inclination, combine to give another respite to reason. A singular instance of this once fell under our observation: a young clergyman, from domestic trials of a very severe nature, and not the less severe because induced by his own misconduct, betook himself to drinking, as well as other indulgences of a yet more debasing character; being the incumbent of a remote country village, he was able to continue his profligate course for a few years without attracting the notice of his diocesan. At length his nervous system became so shattered that exposure was inevitable; compassion for his state saved him from degradation, but he was suspended for two years; this ignominious sentence compelled his return to the parental roof, where for many months his life was despaired of, though reason never absolutely forsook him; sickness, however, accomplished her end. There is still too much ground to fear that the reform is based on no higher principle than prudence; however that may be, his moral conduct has ever since been correct, and all his intemperate habits abandoned; this case was singular, because he was at once pronounced insane by the concurrent opinion of his medical attendants, first in the country, and then in London, while maternal affection denied it; with natural jealousy she repudiated all the treatment recommended under that impression, except so far as to deprive him of all opportunity of self-indulgence. Nature and reflection, aided by bodily suffering, did the rest.

The conclusion at which we arrive from this theory of mental pathology is, that the sense of responsibility, though gradually decreasing at every successive stage, is never wholly lost till the alienation of reason is unequivocal: calculation of consequences not only may exist in a man whose passions have uninterrupted sway for three or four days in every week, but nature has provided intervals for reflection and calculation arising from the very cause of the disease, and has given to the mind during such intervals, a peculiar adaptation of tone to avail itself of the opportunity thus afforded for weighing consequences.

It will of course be at once understood, that our theory is confined to those cases in which there is no possibility of forming a diagnosis from antecedent circumstances, or physical development. If a man has been

subject to epileptic attacks of aggravated character, it may be safe to predicate insanity, from eccentricities and absurdities of thought and action, which otherwise would only indicate and amount to folly. If there is reason to apprehend an hereditary predisposition, and the head, the complexion, or other features, indicate a scrofulous habit, the same latitude of judgment must be allowed. The state of the eyes is often symptomatic of cerebral pressure; the expression of the features, well understood though difficult to describe, may disclose aberration of mind at a glance; the idiotic vacancy, though it may be casually assumed by actors like Liston, is, when permanent, a symptom too decisive for mistake: in a word, wherever there is clearly a predisposing cause from physical injury to the head, constitutional affection, or visible organic defect, it is needless to go very minutely into evidence of conduct. The cases of perplexity are those in which peculiarity of conduct alone, and wholly unattended by decisive physical symptoms, affords the evidence by which disease of mind is to be determined; such cases are considered to resolve themselves into metaphysical subtleties; medicine, as a science, being supposed to have little to do with them. The action of the mind upon the body is almost as great, though not so apparent as the action of the body on the mind; hence, by constant observation of the characteristic symptoms of those labouring under undoubted mania, the physician may infer the existence of incipient mania from similar phenomena in a suspected party; and to this extent his experience is entitled to weight; but where all such phenomena are wanting, or are uncertain in their appearance, some other theory, it is said, than that of physical disease must be suggested to account for derangement of the mind: we have on a former occasion expressed a doubt whether in any case mental derangement is ever found unattended by some altered state of nervous matter; we adhere to that opinion, and the theory we have ventured to enunciate, is in unison with it. But the organic disease may be too obscurely developed to guide the judgment; or its appreciable symptoms may consist with other affections notoriously unconnected with mania, or insufficient to account for it. Restlessness, indigestion, increased arterial action, and many other irregularities of the system, are found as often in sane as in insane patients; after mania has become confirmed, and especially in those cases where it is incurable, the bodily symptoms assume a common type, varying a little according to constitutional habit or the violent or melancholy character of the insanity; when the mind has clearly taken its final leave of the body, as regards its proper control over it, the animal nature, thus left to itself, is, though animated, essentially a passive substance; that, moulded by the same hands and sustained by the same nourishment, and governed by the same principles, will assimilate itself to any other substance of the like nature, so far as it is exempt from any peculiarity of disease or organization. In such cases

we may expect to find a general uniformity of symptom. Where, on the contrary, the alienation of mind is not irremediable, its morbid action on the body will be imperfectly developed; and though local disease may exist, the actual seat of it may not be discoverable by any symptoms peculiar to itself. In such cases we are compelled to resort to some pathology of the mind to guide our diagnosis.

It is not, however, for scientific purposes that we have thus suggested a principle on which such mental pathology may be based; our idiocracy is a subject of study for the practical statesman as well as the physician; all peculiarity of temperament, and the causes which elicit it, are well worthy of consideration in the dynamics of legislation; it seems strictly within our province to aid in supplying the elements of legislative calculation, and this is our apology for pursuing the inquiry into fields where science rarely trespasses.

If our theory is correct, it affords a clue to the solution of the problem that has long perplexed the most acute among our lawyers, as well as the most learned among our medical professors. "Where shall the limit of responsibility be fixed?" The *mens capax doli* is, as everybody knows, the criterion of lawyers; but, except in the case of children, they always have recourse to physicians to interpret this indefinite standard. A few years since peers and judges met in solemn conclave to evolve out of the confusion of ethics and metaphysics, in which both professions had become inextricably plunged, some term of more definite meaning. The united wisdom of their lordships broke down, as seems to be the inevitable lot of collective sagacity in modern times. It was announced by their supreme authority that a capability of distinguishing right from wrong should henceforward be the measure of responsibility. This was not even a step in advance; it only substituted for one expression of doubtful meaning another still more unintelligible. As we long since argued, "right and wrong" are arbitrary terms, and no two people are exactly agreed in their application of them to any given deed of humanity. The only practical result of this learned attempt to define that which is from its nature undefinable, has been to give sanction to a judicial usurpation of the functions of a jury; and to a certain extent this has worked well, for our judges are far less credulous of insanity than our juries, and so are we in respect of its apology for crime. It is, however, still found that in all cases where medical opinion is required, the "right from wrong" craniometer is unsatisfactory to our professional brethren, and not always conclusive with a jury, notwithstanding their wonted deference to the court; the problem of responsibility, therefore, still remains unsolved.

Bearing constantly in mind that the problem never arises in cases of unequivocal insanity, the difficulty may be stated thus: We find a man

apparently in good bodily health charged with a breach of our criminal code; the offender has been long noted for eccentricity, and the crime appears to have been committed without obvious motive: is such a man to be held responsible like other men?

The corollary from our theory is, that criminality, moral or legal, and, as regards the argument, it matters not which, is not only consistent with the progressive alienation of reason, but is at once the cause, and the invariable precursor of its final departure, excepting only such cases as may be explained by physical indicia of a determinate character. All indulgence of our animal propensities beyond the limit that is necessary for the support and propagation of animal nature, is, morally or religiously speaking, a crime; that is to say, it is a transgression of the boundary which the law of God has appointed to the gratification of our animal appetites. The law of man has been less severe in placing the boundary; its restraint only begins when self-indulgence becomes injurious to the reasonable gratification of others; the former code has for its object to fix our responsibility to our Creator; the latter code to fix our responsibility to society; but the subject-matter of either code is equally the gratification of our appetites, and the object of both is self-restraint; conscience gives stringency to the first, and punishment to the last, while reason is the guide to submission in both cases; disobedience to our guide is visited with immediate penalty in the one case, and with future penalty in the other; and inasmuch as immediate punishment is always more potent as a check than remote punishment, we find a far larger proportion of mankind acting in disobedience to reason in reference to the law of God than in reference to the law of man; hundreds and thousands daily indulge in many a glass too much for actual necessity, who would be horrified at the idea of being picked up in the street in unconscious drunkenness; yet the offence is the same except in circumstance. The incident of publicity brings it, in the one case, within the category of municipal crime, but reason is as much offended in the one case as the other; her restraint is despised in both instances alike; criminality instantly attaches, but responsibility is instant or remote, according to the code which has been violated; in the first stages of criminality, consequences are calculated with accuracy and even anxiety; as it becomes more frequent, frequent impunity becomes an element in the calculation, till reiterated experience of impunity bids defiance to all calculation, and the offender persists in his career, regardless of consequences. This is the precise epoch from which common observers are apt to date the moral symptoms of mental aberration; nor can this excite surprise, for the *debilitation* of reason by reiterated defeat in her conflicts with passion, is a theory that has never been propounded: that conscience becomes callous by resistance, is a doctrine enforced hebdo-

madally; but conscience is a faculty so distinct from uneducated reason, that it often becomes obliterated before reason has attained its maturity.

Disregard of consequences does not necessarily imply inability to calculate them. A man who cannot swim may plunge into the sea to save a child from drowning; in his generous heroism he disregards consequences; he is perfectly able to calculate them, and may have argued the folly of such self-sacrifice only five minutes previously; but generosity is a passion, though, unfortunately, of rare occurrence; he yields to the impulse of passion, and defies consequences; for the moment, reason has lost her influence; and if he fails in his object, but is himself saved, he will probably assent to the selfish comment, that he was a fool for his pains; yet, in such a case, or for such a cause, who would venture to denounce him mad; charity herself could not deny his responsibility, though she would plead the generous feeling as a fair ground of exemption from punishment. The argument will hold good in the case of the baser passions, as well as in the noblest; it is only the palliation that fails.

Our corollary is also sustained by the strict analogy which is observable between the progress of crime and the progress of mental alienation; the sophists of antiquity were as familiar as ourselves with the graduality of degeneration; the chaplain of every gaol listens daily to confessions that prove the apothegm "*nemo repente turpissimus*." The first watch abstracted from its owner ticks punishment into the ear of the thief for hours; the watch goes down, and apprehension goes down with it; some "fence" buys it for a sovereign, and the delinquent finds himself in wealth for four-and-twenty hours; such, however, has been his alarm after the first offence, that reason resumes a temporary sway; he reckons up the risk and resolves better things; but, meanwhile, he starves, and starvation is not the less painful in the recollection of his recent day of plenty and debauch; he will try the adventure once more—only once more; if he succeeds he will husband the resources it supplies, and look out for honest employment; it is reasonable to allow himself a better chance; if he can "twig" a purse, his profit will be greater and give him more time to seek for occupation; he watches an unsuspecting victim receiving dividends, and aiding audacity by ingenuity, again succeeds—twenty sovereigns reward his second crime; he reckons with more confidence on impunity—he finds his reckoning right; a fortnight of idleness and profligacy repays him, and crime now becomes his trade. Planned robberies, well "got up," succeed to petty thefts, and these, in turn, are superseded by higher and more profitable crime; the wants of nature are well supplied, and passion, beyond her wants, is abundantly indulged; indulgence adds craving to the appetite, and

appetite must be satisfied, reckless of consequence. This is the ladder by which the highwayman and murderer ascends the scaffold.

It matters not what may be the character of the crime; it may be arson, it may be rape; the first successful gratification of vindictive feeling leads by similar progression to the one; the first flirtation of simple sensuality, unchecked, if not encouraged, leads by the like gradation to the other; in all cases progress from venial to bad, from bad to worse, and thence to extremes, is the invariable trait of a criminal career; consequences are first calculated with anxiety, then merely weighed against immediate gain, and, finally, disregarded altogether.

Here we find a perfect identity of character with that form of mental alienation which is (apparently) distinct from organic disease. There is no abrupt transition, no sudden metamorphosis, no marked convulsion of the system, no violent disturbance of accustomed habit; cause produces effect by obvious and natural process. Each successive step in either progress is characterized by the same traits. The first is so slight an interruption to the daily path that it is taken almost unawares; then conscience, the barometer of morals, indicates a fall to a lower level; consequences are now calculated with alarm that magnifies their danger, and the calculation always arrests, and sometimes prevents, further descent. Passion at length revives with aggravated strength, and suggests that reason has overrated risk. Then comes the second step, again followed by self-reproach, but with pangs less durable, and apprehensions less lively and defined. Thus the interval is reduced between the second and third, and that reduction proceeds in geometrical progression; then step follows step with a rapidity that admits of no check, till descent is terminated by the bottom of the abyss. In both cases the gravitation is occasionally interrupted; opportunity is addeemed by change of circumstances, waning energy or lowering sickness: these present a temporary obstacle, like a projecting crag that breaks the precipice, and extend a momentary reprieve; but though strength may be recruited, it rarely avails to re-ascend the heights; the downward tendency has become habitual; even the sensation of reckless descent has acquired a charm; desperation itself is not without a compensating power, and the temporary self-possession succumbs to it.

Identity of object is as marked as identity of progress; the object in both cases is self-gratification, or, more correctly speaking, gratification of passion. And here the legal criminal is often less culpable than the moral criminal, and therefore more entitled to the protection of irresponsibility. Our passions being designed for the support and perpetuation of our animal nature, concession to them, up to a certain point, is, as we have before observed, legitimate; but the pauper can with difficulty provide gratification even up to this legitimate extent:

when his superiors complain of hunger he complains of famine; they talk of fashion and overheated rooms, while he bewails both cold and nakedness. If both transgress in availing themselves of the opportunity for excess, why should the rich man have a better claim than the other to the privilege of irresponsibility? We admit, however, that both are offenders, whatever may be their comparative temptation; for the gratification of passion, ultra the demands of animal nature, is their common object. The pickpocket has no abstract love of stealing for its own sake, unless here and there vanity may prompt him to exhibit his excellence in art. As a general rule, he steals to get a dinner; and he steals in preference to working, because the labour is less and the profit greater: he provides a dozen meals in less time than the honest navigator can earn one. Thus the animal love of rest is gratified simultaneously with the desire for food; he has enough for the hour and to spare; destitute of other resources for amusement, he feeds his passions with the surplus; and steals again to satisfy the cravings of stimulated appetite, though at first he only stole to appease the same appetite in its natural state. The object of the moral offender is precisely the same; he, too, by the temptation of opportunity, has stimulated passion to a pitch of morbid craving, and, *comme qu'il coule*, it must be satisfied. He need not steal, but he opens a second bottle, and were it not in his cellar, he would steal rather than want it: not perhaps on the first occasion, nor yet the second, nor indeed for many. At first he pays, then pays on credit, then borrows; and when means and credit are exhausted, he defrauds or steals, and descends to the class of legal crime; for gratification he must and will enjoy, beyond the mere wants of animal necessity. If his means are too ample to exhaust, the object is still the same—the amplitude or the insufficiency of means is a mere accident in a philosophic view. We have taken but one, and that the most familiar subject of inordinate self-indulgence. We might pursue the analogy through all the range of human passion—lust, anger, revenge, jealousy, envy, avarice, pride, vanity, ambition, are uniform in their action whatever may be the social position of the man. Crabbe, a name scarcely known to the present generation, though venerated by their fathers, has beautifully illustrated this truth in his village tales. The only essential difference in the positions of the legal and the moral criminal, is, that the self-indulgence of the one is dangerous to the community, and of the other only to himself; in the former it is practised at the public expense, and in the latter at his own.

But this is a difference that points to a plausible objection to our theory. “How does it happen,” it may be urged, “that the large majority of legal criminals are of an age so young that it would be absurd to contend for the triumph of passion over reason? Their reason is not

matured; they are, for the most part, too ignorant to appreciate, or even feel, her restraint. Who ever heard of a boy of the age of fifteen setting up the defence of insanity to a charge of pilfering?"

The difference we have mentioned affords the answer. If the child of fifteen, or five years younger, has displayed art in avoiding detection, it is conclusive that his reason, however limited, has sufficed to tell him that he has broken the law. He has disobeyed the dictates of reason no less than the adult. It is conceded however, in his case, that reason cannot have been extinguished altogether by perennial defeat in his struggles with passion. Even passion itself, at so youthful an age, rarely attains its strength; but legal criminality being dangerous to the community, it is necessary that a system of prevention and detection should be instituted, and as juvenile crime is less artificial, it is more easily detected, and thus the young criminal is arrested in his career long before the triumph of passion over reason is achieved. Our theory is, that every self-indulgence, beyond the claims of animal want in its natural state, is opposed to reason; and, as an act uncontrolled by reason is so far an act of insanity, in any strict and philosophical sense of the term; but we do not, therefore, say that reason is unseated; her actual expulsion from the animal man, is only effected by the constant repetition of irrational acts at shorter intervals and in greater variety, so that the contempt of reason becomes chronic and habitual.

If the case of juvenile depravity is followed up, it will be found to sustain our theory in a remarkable manner. At every Middlesex Sessions, the judge, Mr. Serjeant Adams, complains in strong language and with just indignation, of the reiterated appearance before him of the same children; punishment has no reforming power; boys of ten and twelve are again and again committed, imprisoned, and flogged, and then discharged only to re-appear in court within a month to receive the same sentence. In all such cases we are driven to a sad alternative—either the animal wants of nature cannot be legitimately supplied without offence, an explanation too frequently too true; or, though they can be legitimately supplied, reason has wholly lost her power to restrain illegitimate excess. If this branch of the dilemma is adopted, then by our theory we do arrive at the conclusion that reason has become extinct by indulgence, even before she has attained maturity!

Thus far we have shown that the progress and the object of crime in its legal sense, and of the estrangement of reason, are identified. We will pursue the parallel to the final results, and there we shall also find that the same similarity obtains.

The late Lord Nugent, a man very dear to those who knew him well, was distinguished as the champion of the opponents of capital punish-

ment. Agreeing with him generally in principle, and much associated with him in most of his benevolent undertakings in his county, he was anxious to enlist us in this crusade; but there was one difficulty in the case which even his lordship, ingenious and dexterous as he was in parrying all objections to mounting his hobby, confessed his inability to remove. If you abolish capital punishment at home, how can you retain it in a penal colony? The principle on which you contend for its abolition is, if just, a paramount principle; that life being the most valuable gift of God, as affording while it lasts an opportunity for reform and repentance, man may not abridge it, and thus deprive the sinner of his eternal hope. If the legislature adopts this principle, then it must extend to every place within her jurisdiction. But in a penal colony, secondary punishment is exhausted, and expended, too, without reform: then what remains but the extreme penalty? Suppose a man resolutely determined on suicide, and he is self-placed beyond the pale of law; he may sally into the streets and plunge his knife into every one he meets with impunity. When taken, they can but hang him, and he is resolved to die already. He has the prussic acid in his pocket; before he has reached the station he will be a corpse. Who can deny that, were a pre-knowledge of the man's status possible, it would be right to kill him at once, on the same principle that you kill a rabid dog? The contumacious criminals of a penal colony are in a position precisely similar, when this contumacy proves that secondary punishment is fruitlessly exhausted. Self-placed beyond the pale of law by offending beyond the possibility of further punishment, they become dangerous animals, whose extinction is indispensable to the safety of their fellow-convicts.

But it is not as an argument against this extravagance of modern humanity that we quote it here: it is a convenient illustration of the status to which man is reduced by crime. Absolutely unfettered and unrestrained, because the power of punishment is gone by exhaustion, what is he but a rabid animal; and doubly dangerous because, though reason has departed, cunning remains. We are not speaking of the convict criminal, but of the incorrigible criminal among convicts. Taking the convicts as a class, many among them show, by their subsequent conduct, that reason recovers her sway when the opportunity of self-indulgence is long suspended. A compulsory self-denial is wrought into a habit, and they again become industrious, prosperous, and orderly members of the social body. These, however, are exceptions; and it is remarkable that these exceptions (we speak from information given by a gentleman who, very undeservedly, spent five years among them, when at length proof of his unjust conviction obtained his full pardon,) are always to be found among the educated

portion of them ; but the bulk settle down into a state scarcely removed from bestial irrationality. A striking instance of this utter degradation is to be found on parliamentary record. Six convicts escaped into the bush, without food or the means of obtaining it, except a single axe. It served to provide them with the food of cannibals, but no other. They successively fell under the axe to provide a horrid meal for the survivors, the last of whom returned to Hobart Town to confess the dreadful tragedy, and be hanged ! In other cases, the miserable beings would draw lots who should die ; the victim was promptly accused of some capital offence in contemplation, and the false accusers received the usual reward for discovery ; the price of blood being expended by the others in clandestine purchases of spirits for a night's debauchery ! Practices which no pages may record, except the annals of our criminal courts, were at one time all but universal. The disgusting horrors of convict life, as exposed on a parliamentary inquiry some years since, admit of no parallel in the history of man, except what might be found in some of our lunatic asylums at the beginning of the present century. It is, alas ! too true. The lunatic asylum and the penal settlement once stood unrivalled, except by each other, in all that is dreadful and disgusting ; and for a very sufficient cause—man in the possession of his physical power, and deserted by his reason, is at once the most profligate and the most dangerous animal in God's creation.

We may find another example of similarity of result in our workhouses at home. Their inmates, in the class of casual paupers, usually include many who have also been inmates of the gaol. In our prisons the discipline is necessarily severe, and there is a sufficient staff to maintain it, and sufficient power to enforce it. It is not so in the workhouse ; and hence, while we rarely hear of disturbances in prison, we constantly read in the police reports of the most violent and motiveless outbreaks in these pauper asylums. The common apology of the offenders is, that it has all been "by way of a lark." After making all possible allowance for the romping turbulence of half-a-hundred young men and women thrown unexpectedly together, it is difficult to account for the absurd and causeless violence exhibited on these occasions, except on the theory of transient irrationality. Boys, on the breaking-up for the holidays, used, in our young days, to break up forms, and desks, and school-room furniture, with a ruthless hand ; but it was done as the symbol of emancipation from scholastic rule, and of a return to the freedom of home. The emblem might be rude, but it had its meaning. It is difficult, however, to find any emblematic expression in the wanton destruction of property that generally attends the "larking" of our casual paupers ; but if we ascribe it, as we may fairly do, to a spirit of

mischief and ill-nature, we are justified in classing it with those other eccentric irregularities which, on our theory, are acts of irrationality, though too transient to imply more than a progressive step towards total alienation of mind.

This combination to effect a common purpose of turbulent mischief, exactly corresponds with the disposition of confirmed lunatics of the violent class, should accident bring them together unwatched by their attendants; the only difference being, that they will, perhaps, injure each other as much as the property within their reach, so that the concert or combination is less conspicuously developed. This may argue a nearer approach to total alienation of reason; but, nevertheless, mischief is the type of irrationality in both cases.

Another resemblance in the results of acknowledged irrationality and incorrigible criminality, is to be found in the absence of common decency, as regards the infirmities of nature, or social decorum. There are occasionally, though rarely, positions in life where reason herself prescribes a temporary departure from that modesty which is a part of our fallen nature, and was the first evidence of our fall; but when no emergency arises, this insensibility to appearances is one of the most certain signs of that degradation which attends the departure of reason. The same feature is broadly developed not only in the worst classes of our convicts, but also among our disorderly paupers. Duty has sometimes called us to the houses occupied by the most degraded of our metropolitan poor, and there we have witnessed scenes that argued a total deprivation of moral sense; but we have invariably found, even among the poorest, that where character remained unsullied, the decencies of life were, at least outwardly, observed.

It would not be difficult to trace the close similarity of results in further points. The same jealousy and distrust, the same submissiveness to authority in constant and severe exercise, accompanied by the same vigilance of cunning to escape from it, the same habits of dissembling and deceit, the same restlessness of body and anxiety about trifles, and more than all, perhaps, the same indifference to danger, strangely attended by awe of corporal punishment, mark both the criminal and the irrational being. It is a curious inquiry, but our limits forbid us to prosecute it further. We have, we think, shown that in progress, in objects, and in results, there is an identity of character in crime and insanity. This naturally leads us to investigation of the cause; and we have suggested a theory which gives a common origin to both, and warrants the conclusion that, however they may differ in name and in responsibility, insanity and criminality intend the same status of the human being in regard to his rational or intellectual

functions, excepting only in those cases where a morbid derangement of the organic structure is apparent.

We anticipate an inquiry which will be made to test our theory. Does it appear that insanity, in its perfect and incurable form, is found more frequently in the convict class than in others? We have no accessible statistics to supply an answer to this question; nor should we be satisfied with that answer, even if it were favourable to our theory. Scarcely a week passes over but we find men of undoubted science and experience, with ample opportunity for observation, and abundant learning to guide it, who, nevertheless, differ widely in their opinion in any given case. We ascribe this diversity of opinion to the want of any acknowledged principle of analysis; but if, with all these advantages to aid them, our most eminent authorities are so much at variance, what reliance can be placed on the report, however faithful in intention, of some two or three young and comparatively unknown men, successively sent out in charge of a convict ship, or a convict station? But if the answer were all worthy of confidence, and adverse to our theory, it would still be inconclusive. The great majority of convicts are young and in the prime of life. From the hour of their conviction they are placed on the strictest system of restraint and dietetic discipline; they are debarred from all opportunity of excess; even their tempers are kept in constant check, and their bodily health is sedulously watched. Under such very favourable circumstances, all morbid action is likely to be arrested, and reason may often be restored. Nor is it part of our case that the convict, as such, is necessarily advanced to that stage of progression when reason becomes prostrated by defeat; though, in the case of the contumacious convict, self-placed beyond the power of secondary punishment by reiterated and unceasing crime, we believe the consummation to be complete. Our theory, therefore, remains intact by the result of the supposed inquiry, whatever it may be; but the inquiry is one of such importance, that we trust the legislature will require such returns as the nature of the case allows of being made.

A similar test may be suggested in the case of the Society of Friends; for, more accustomed as they are by education to habitual self-control, insanity, according to our theory, ought, among them, to be of comparatively rare occurrence.

Here, too, as we believe, the statistics are not obtainable with sufficient accuracy to justify absolute reliance upon them; but so far as we have them, they are most favourable to our views; we may observe that these statistics are deficient in one important feature, a defect which they share in common with all lunacy returns; no distinction is made

between patients labouring under an insanity induced by predisposing causes of acknowledged influence and those cases in which a predisposing cause cannot be detected. It is to the latter alone, as we have repeatedly said, that we propose to apply our theory. It may also be observed that hereditary taint, where it exists, is more likely to be propagated in the Society of Friends, because its members notoriously intermarry with each other, with a frequency not occurring in any other limited circle; and lastly, it should be noticed that, from the peculiar constitution of the society, it is their practice to send to their asylums very slight and equivocal cases of derangement; these swell the number of the inmates, though it may be doubted if they are of a type sufficiently decided to affect any theory founded upon such statistics. Subject to these remarks, we may quote the following calculations of Dr. Thurnam. The average number of the Society in England and Wales during the twenty years, 1820 to 1840, appears to have been 17,900 of all ages: for reasons which he does not explain, but which we may presume to be, that insanity does not usually occur in extreme youth or age, he takes only 10,000 for the basis of his calculation; he assumes that the Retreat at York embraces in its experience all cases that occur in the Society; this experience will give 1 in 2196, for the proportion of original (as opposed to *recurring*) cases of lunacy in a population of 10,000, annually: but he adds to the cases of the Retreat such a number as he considers may not be sent there, being left to private treatment at home; and thus corrected, he estimates the proportion at 1 in 1790. By including the experience of the Retreat at Bloomfield, near Dublin, he further increases the proportion to 1 in 1590, and there seems no reason to doubt the general accuracy of this result, though it is not very clear whether he means to limit this larger result to Ireland, or extend it to England.

Much variety of opinion has prevailed as to the comparative exemption of the Society of Friends from this calamity, in relation to other classes of the community. Dr. Thurnam, in quoting the conflicting opinions of Dr. Burrows, Dr. Jacobi, Dr. Julien, and Dr. Haslam, inclines to the side of partial but not signal exemption; so at least we construe his remarks, though they are avowedly made with hesitation; he states distinctly, however, that the statistics of the Retreat "show that intemperance and other causes of frequent operation in the world at large are rarely met with as causes of insanity in this community;" the chief ground of his hesitation in arriving at a more definite conclusion, is the absence of data on either side of sufficient accuracy. Let us, however, compare his results with such data as we possess. In the Report of the Commissioners in Lunacy of 1844, a table is given, extending only to the pauper class, in which the proportion of cases to the population of England and Wales is given as 1 in 1019 for 1842,

and 1 in 980 for 1843; and in the same report, a "General Statement" is published, "of the total number of persons ascertained to be insane in England and Wales," under date of the 1st January, 1844; this number is 20,893, which, compared with the population according to the census of 1841, will give 1 in 784 for the index of English and Welsh insanity; but this includes only such patients as are inmates of public institutions, or found lunatic by legal inquisition: a large correction must be made for the unascertainable proportion of private patients, in families whose circumstances do not compel them to transfer a deranged relative to a public asylum; if we estimate this as an addition of a twentieth part* to the sum of lunacy stated by the commissioners, and such an estimate seems moderate, we obtain 1 in 745 for the ratio of lunatics to the population, according to the census of 1841.

According to Dr. Thurnam's experience, predisposing causes are to be found equally among the Society of Friends as among other bodies, with the single exception of intemperance: the term, of course, not being confined to its vulgar acceptation of excess in drinking, but including every form of excessive self-indulgence. If, with this exception, the predisposing causes operate with equal force in the Society of Friends as elsewhere, it follows that any greater prevalence of insanity in other classes is ascribable to "intemperance;" according to the calculations we have just given this greater prevalence is measured by the difference between 1 in 745 and 1 in 1590, or very nearly one half: thus, so far as the data that we do possess extend, one half of our cases of insanity are proved to be caused by excess of self-indulgence, or, in other words, by the habitual gratification of our passions, ultra the necessary wants of our animal nature.

If we were to found our calculations on a more recent report of the commissioners, the case would be yet stronger; for, on the 1st January, 1847, the number of lunatics had increased to 26,516, and this would give the ratio of 1 to 618 as the proportion of lunatics to the population; instead of 1 to 715: so that by the same process of reasoning, considerably more than one half would be shown to be the victims of habitual self-indulgence; this, however, would be fallacious, because the population of the country in 1847, largely exceeded the census of 1841; we need not resort to any fallacy to strengthen the argument, for the statistics contained in the report of 1847 disclose another fact which

* In the Report of 1847, the commissioners observe that the higher and middle classes contribute their share of the lunatics of the kingdom in the proportion of 5000 to 18,800; this would justify the addition of a much larger part than a twentieth, it being among those classes that private patients are usually found. We refer to the fact principally, however, for another reason: it justifies an argument subsequently adopted in the text in favour of the identity of lunacy, induced by habitual intemperance, with that status of hardened criminality which otherwise would appear to be almost confined to the pauper class.

will far extend the proportion which we have assigned to self-indulgence as a predisposing cause. It is stated (p. 274) that, "of the entire number of lunatics in workhouses, computed at 6020, or thereabouts, two-thirds at the least, or upwards of 4000, would be properly placed in the first class," that is, in the class of "the weak minded, imbecile, or idiotic." If this analysis of so large a proportion as one-fourth of the lunacy of the country, is accurate, it follows that two-thirds of the whole body of 26,516 fall within the same class, leaving only 8840 whose insanity is to be accounted for by extraordinary or predisposing causes.

We have stated that the difference between 1 in 745 and 1 in 1590 is the measure of insanity caused by intemperance; but if we are to infer from the quotation just made from the report of 1847, that two-thirds of the sum total of insanity consist of imbecile or idiotic cases, we must deduct two-thirds from 745, and then the measure of insanity caused by intemperance will be the difference between 1 in 249 and 1 in 1590: or, in other words, more than five-sixths of the insanity in England and Wales is to be ascribed to habitual self-indulgence.

Our argument, then, is briefly this:—

In the Society of Friends, where intemperance is not a predisposing cause, one person in 1590 is insane.

In society at large, where intemperance is added to other predisposing causes common to both, one person in 745 is insane.

Of these 745, two-thirds are imbecile or idiotic, being a form of insanity almost universally traceable to organic malformation or to senility: deducting two-thirds, 249 will remain for the number whose lunacy is to be attributed to causes of which the operation is more or less problematical, intemperance being one of them.

If then only one in 1590 is insane, where intemperance does not operate, and one in 249 where intemperance does operate, other predisposing causes being common to both, it follows that more than five-sixths become lunatic through intemperance: a word which, properly translated, means habitual and irrational indulgence of animal passion.

The accurate reader will at once remark that to raise our proportion from a half to five-sixths, we have deducted the idiotic from the mass of lunacy in the community at large, but not from the lunacy of the Friends; to a very limited extent we admit the inaccuracy, but we are not guilty of it unadvisedly. The professional experience of Dr. Thurman, on which we rely for the statistics of Quaker lunacy, supplies us with this remarkable fact:—

"Idiotcy and positive imbecility from birth appear to be of very unfrequent occurrence in the Society of Friends as compared with the general population of this country." And he gives a very satisfactory

reason for it. "It is, perhaps, not improbable that many in this society who, by careful nursing, survive the period of infancy, and are merely distinguished by these slightest shades of mental weakness, would, under less favourable circumstances in the lower walks of life, in the world at large, have grown up as positive idiots; or that, with that delicate organization which distinguishes them, and which they perhaps inherited, would never have been reared at all."

We think that this is a sufficient authority for deducting the imbecile from one side of the proportion, and omitting to deduct it on the other.

So far, then, as we are supplied with data, it is clear that the experience of the profession confirms our theory. Insanity in the large majority of cases is induced by the excessive indulgence of those passions which God has given us as necessary stimulants for the support and propagation of our animal nature; and we have endeavoured to exhibit the actual working of the process by which insanity is thus induced, in the successive defeats of reason by the superior strength of passion when indulged. There will always be found, especially in the world of science, determined cavillers at a new principle, or more accurately, in the present case, we should say, at a new application of an old principle; we may, therefore, anticipate the question—What is here meant by the term "reason," or in what sense is it used?

This is a convenient opportunity for introducing a remark of value to our theory. The doctrine of perpetual internal conflict between right and wrong is of very ancient date. Cicero arrived at it by induction from philosophy alone. St. Paul, writing under holy inspiration, describes the conflict in very similar, but yet more specific language:—

"For that which I do, I allow not: for what I would, that do I not; but what I hate, that do I. If, then, I do that which I would not, I consent unto the law that it is good. Now then, it is no more I that do it, but sin that dwelleth in me. For I know that in me, that is, in my flesh, dwelleth no good thing: for to will is present with me; but how to perform that which is good, I find not. For the good that I would, I do not: but the evil which I would not, that I do. Now, if I do that I would not, it is no more I that do it, but sin that dwelleth in me. I find, then, a law, that when I would do good, evil is present with me:"

The authors of our liturgy, partly on the authority we may presume of this passage in the Epistle to the Romans, have introduced a prayer in the collect for the first Sunday in Lent.

"Give us grace to use such abstinence, that, our flesh being subdued to the Spirit, we may ever obey thy Godly motions to righteousness," &c.

We seem warranted, not only by these passages, but by the whole tenour of revelation, in the belief that there is, not in any metaphorical sense, but in actual fact, a warfare carried on between good and malignant spirits, of which, for some mysterious purpose which it is not permitted to us to penetrate, humanity is the field; it may be that these hostilities extend to the whole material world, visible or invisible, or even to regions where matter is unknown; the strong presumption, however, is the other way, and that the spirit which we call sin, is allowed no wider range than the earth which we inhabit; for though, most assuredly, the great sacrifice offered for the atonement of man, would suffice for the sins of all created existence throughout the boundless realms of space, yet as our insignificant particle of matter called the earth was selected for the altar appropriate to the sacrifice, the inference is either that we are the most favoured or the most wicked of God's creation; or yet, more probably, that we are the only beings of limited existence who have dared to range ourselves with the fallen immortal spirits in their resistance to the Creator's will. Milton was a sound divine, no less than a sublime poet, and such certainly appears to have been his creed. But it is foreign to our subject to enter upon such mysteries, nor is the infirmity of human understanding equal to the inquiry. We advert to them only to remark that our analysis of the struggle between reason and passion, as a metaphysical thesis, is in perfect harmony with what revelation has deigned to tell us of the unseen warfare that obtains between immortal spirits. The conflict itself is, doubtless, the same, whether we choose to describe it by one name or another. St. Paul speaks of "evil" and "himself" as the contending parties, whom we designate as passion and reason. Our object has not been to start any new hypothesis, but to avail ourselves of the Scriptural truth as a clue to the explanation of that phenomenon which has so long perplexed us; where shall we fix the limit of man's responsibility as a rational being, in reference to the laws of society? It is with this view that we have attempted, it may be feebly and unsatisfactorily, to propound a somewhat novel theory, as to the actual development of this conflict by its visible effects on the moral and physical organization of man.

We proceed with our answer to the anticipated question, in what sense we use the term "reason."

Every animal, whether human or bestial, is endowed with certain properties for self-preservation and self-generation; in the lower orders of creation these properties are called instinct; man, as an animal, enjoys an instinct too, but in him the instinctive faculties are associated with powers of a far higher quality, with a view to preparation for a nobler and an eternal state of existence.

His instinct, apart from these higher powers, resembles the instinct of any other animal in its essential properties. It is perfect from his birth; it is not progressive, because it is incapable of improvement. Instinct guides him to the breast; instinct dictates the squalling of the infant as well as the bleating of the lamb; instinct makes him shun pain, and cry for protection from approaching danger; the infant will shrink from a dog or a cat as soon as his eyes are capable of observation; he fears entering a field where cattle are feeding; he shrinks from the touch of strangers, and will even hide himself on their entrance; he runs to his mother at the howling of the storm or the pattering of the hail; all this fear is instinctive, and shared by the infant with the animal creation. As he advances to puberty, other instinctive feelings are awakened, and are indicated by the same change of manner, appearance, and disposition, that mark the puberty of brutes.

But though his instinct is not progressive, those higher powers with which it is associated are; he is at an early age conscious of a will to obey or to resist his animal propensities: he cannot define this elective power, but he feels it: he is sensible of a freedom of action wholly independent of his animal nature: he marks the distinction between himself and dumb animals, not merely in outward form or in their respective objects of desire, but in volition. It may be restrained by circumstances, it may be fettered by parental authority; but still he feels and enjoys *the will*. This development of will in independence of necessity, is the ray which opens the bud of reason; what may be its germ is known only to the Creator who planted it. As it expands, it exhibits faculties of calculation, of deduction, and of anticipation. He finds these faculties subservient to his animal wants, which instinct explains, though it can no longer provide the means of gratifying, and here the range of uninstructed reason closes. If we could conceive a man abandoned at this crisis to absolute solitude in the steppes of Tartary or the wilds of America, and destitute of all means of information from social intercourse, it is probable that he would degenerate into mere animal existence, though gifted with more cunning and less instinctive sagacity than the ourang-outang. He would indulge to satiety when food was abundant, but if sickness followed the indulgence, his rationality might prevail to check the repetition, till long privation provoked to a second surfeit; if the pain of sickness had been great, instinct would step in to restrain him, and reason would suggest reserving out of the abundance for a future meal; but whatever aid he might thus derive from reason in self-preservation, self would still remain the sole object of his thoughts, and animal indulgence the single end of all his efforts. In such a case reason would not become enfeebled, simply because she would be subjected to no struggle: subject

to no law but that imposed by instinct for the preservation of the animal, she could violate no obligation; and the stronger she found the animal passions, the more imperative would be her duty to contrive for their gratification. She would probably become the slave of passion when conscious of no responsibility to any other master.

But the development of will not only gives its first bloom to the reasoning power, but informs the juvenile logician that there is imposed on his action an artificial constraint under the name of law: his will prompts him to the gratification of his instinctive wants; his reason suggests the means of gratification; and, simultaneously with this newly acquired servant, he discovers that physical restraint impedes the freedom of his action, though not of his volition. First there is the law of the nursery; he resists and is sent to bed. Then there is the law of the school; he still resists and is whipped. The law of the academy follows; he still resists and still is punished, restraint being throughout associated with disgrace. At length, emancipated from all physical control, he enters on the world at large, and there finds that a double code of law is enforced; the penalty of a breach of the one being corporal punishment combined with infamy; the breach of the other being visited by disgrace and exclusion from his caste. Where education has been based on religion, he finds a yet more formidable check, and yet more dreadful penalties, though more remote.

Reason is thus exercised in early life by continued struggle, and gains strength by the conflict because she is assisted by physical and foreign discipline; while this continues she can do battle with volition and bring it into habitual subjection. The triumph tells to her advantage even on the score of gratification, for if less intense it is more certain in its occurrence and innocuous in its results. At length, however, this foreign aid is withdrawn, so far as regards immediate check; the penal consequences of indulgence to excess are removed to a distance, and reason and passion are left in an open field to "fight it out" as best they may. The will desires to remove all impediments to gratification; the faculties of calculation, deduction, and foresight soon devise a way, but they at the same time distinguish danger in the distance, which instinct cannot see, and to which volition will not give credence. If these faculties, which we conventionally express by the term "reason," retain the power given to them by habit, volition remains in subjection still; if the force of habit is relaxed, volition regains her early ascendancy, and the animal predominates over the intellectual; this ascendancy is at first transient. It is a part of our animal nature, and mercifully ordained by the Creator, that pain, whether of mind or body, is only a present sensation; man cannot long exist under the pressure

of unceasing pain; as physical causes will always produce their physical effect, pain will follow the first transgression of temperate limits; while the pain continues, reason condemns volition for its folly, and resolves to withhold further aid to its gratification. The pain subsides, and soon ceases to be recollected in all its acuteness, or even to be forgotten altogether. A first offence entails no permanent disgrace, and reason begins to urge that she has overrated the distress of punishment: she has undergone it once, and it is not so severe in recollection as it used to seem in anticipation; thus she is prepared to yield more readily on her next encounter with volition.

It is another general law of pathology that the second attacks of the same disease are, in their immediate and painful symptoms, less intense than the first, where the complaint is not, in its nature, chronic, or proceeding from constitutional affection: cases are constantly to be met with where the reiterated recurrence of a local disorder, gives it an incurable hold upon the system, and yet the patient scarcely suffers pain amounting to inconvenience, though in its earliest stages the pain was acute.

Something of this kind obtains in excessive self-indulgence: smoking gives a familiar illustration; the first time that the fumes of tobacco are inhaled to even a moderate extent, most distressing sickness follows; the second time, if the interval is long, the same result will follow, but the nausea will be less and of shorter duration: after three or four experiments, this painful derangement of the stomach is no longer felt, unless the indulgence has been extreme; and eventually a man will smoke all day unconscious of any inconvenience. Many other morbid affections would admit of similar illustration, but for obvious reasons we forbear.

Reason, when defeated in her second conflict with volition, again suffers the penalty of pain, but in a less aggravated form: the effect of intemperance is the same in character but less in degree, and its recollection less admonitory, after every successive trial; the seeds of chronic disease and permanent debility are abundantly sown, but the painful paroxysms that at first were instant in their sequence, are no longer felt; thus the penalty, though still inevitable, is more remote, and reason, not sustained by immediate apprehension, is more and more enfeebled in her resistance.

We have thus far only described the struggle as it might obtain equally in the hypothetical case which we have put, of an utter outcast from society; a struggle between volition and reason, where pain is the only restrictive penalty; and we have adopted this simple form because it affords a plain view of its nature and progress. Though the laws of

society interpose other restrictive penalties, and so far have strengthened reason for the conflict, the tactics of the warfare remain the same whether we place man in a social or solitary condition.

The inference which we are entitled to draw from these premises is, that it is exactly in proportion as self-control is rendered habitual by early training, that reason is enabled to retain her powers in health and strength through life. The force of habit must be added to the force of reason to keep the volition of the animal in constant, unvarying subjection. It must not be supposed that we overlook or depreciate those better motives that religion inculcates, or that all-powerful support which the sincere Christian derives from the grace of the Holy Spirit; we are considering the subject in the only light that befits a scientific journal; as connected with metaphysical inquiry into the structure of man as an intellectual animal, gifted with instinctive passion on the one hand, and with self-controlling faculties on the other: a free agent as regards his volition, yet restricted by physical and social responsibility as regards his acts.

Another objection which may be raised to our theory appears very plausible at its first enunciation. How does it occur that when the proportion of lunatics among the higher and middle classes is so large as 5000 to 18,800, or more than a fourth of the whole number, the proportion of criminals among the same classes is so extremely small as scarcely to amount to an appreciable quantity? It might be inferred that where so many are found incapable of subjecting their passions to reason, crime would abound among them to a much greater extent, if legal criminality and inordinate self-indulgence are identical in their origin, their progress, their objects, and their results; crime is, with rare exceptions, confined to the pauper class; lunacy, having regard to their relative numbers in the population of the country, is nearly twice as prevalent among their superiors; assuming, that of the entire population in 1841, half a million will represent the higher and middle classes, it follows, from the report of 1847, that their liability to insanity is in the proportion of one in 500, while the corresponding liability of the rest of the community is only one in 840: but the proportion of legal criminals is at least 100 to 1 against the pauper class. We have no data to estimate this latter proportion; it may more likely be 500 to 1, but it is enough ground for the objection to take the lowest estimate. We promised to advert to this topic in our note at page 185.

Instead of feeling it to be incongruous with our theory, we think the fact goes far to sustain it; we have already alluded to it in a former page, but only cursorily. It is almost a proverbial remark, that our laws are made for the poor and not for the rich; and there is necessarily truth in the remark, though not in the sense of vulgar declamation on

the hutsings. Food and warmth are the most pressing of our natural wants, as well as the most frequent in their occurrence; the cravings of appetite, whether in ourselves or in those who are dependent on us, must be satisfied at all hazards, and there is only an inferior degree of urgency in the necessity for clothing: hence the pauper is so often tempted to appropriate the property of others, not for excessive gratification, but for the indispensable nourishment of his animal nature and in strict obedience to animal instincts, that not only is legislation continually at work for the protection of property, but our judges, for the most part, reserve the severest penalties of the law for theft or fraud, visiting crimes against the person with comparative lenity. Every assize and every quarter sessions produces instances of transportation for felonies of this class, in absurd contrast with imprisonment for a few months for manslaughter, or assaults with intent, &c. The life of a man or the honour of a woman is often ludicrously weighed against a loaf or a yard of broad cloth in our scales of criminal justice, and kick the beam: a child of seven years of age is, at the moment we are writing this, imprisoned in Knutsford Gaol on a charge of stealing a mug of the value of a penny! This extreme severity of the law and of the judicial caprice with which it is administered, not to mention the enormous expenses of prosecution, induce many to overlook the injury they sustain; and thus the pauper who begins by stealing to supply actual want, is emboldened by impunity to steal for gratification of his animal passions, ultra the necessity of his case: reason in vain points to consequences when experience proves impunity, and thus she loses all the aid of restrictive penalties in resisting the assaults of passion. We shall presently give a narrative pregnant with illustration of this, and shall have further occasion to advert to the same topic in considering remedial measures.

The higher and middle ranks of life are not exposed to similar temptation till a long career of extravagant indulgence has reduced them to actual want; even when their own resources fail them, the benevolence of friends, or more prosperous relatives, steps in to save them from actual destitution. Thus the insanity induced by intemperance will often overtake them before they violate any law but that which is imposed by the social code of decency. Even when reason is rapidly declining, she will retain sufficient restraining power to prevent a man incurring unnecessary hazard, when he can as easily obtain satiety of gratification without exposing himself to legal retribution. The loss of caste is also a restraining penalty, strongly operating in aid of reason among the higher orders, but it is unknown to the low-born pauper. Their sensual excesses, therefore, generally take a direction which entails no public ignominy. As for disgrace in their domestic circles, it is

covered by affection, or, at the worst, retrievable by amendment ; but whatever be the direction of a pauper's passions, if gratified at all, they must be gratified at the expense of others ; hence, the penal law, though made alike for all, seems, by its almost exclusive application to himself, to be intended for him alone. Were the pauper criminal a man of wealth, he would become insane before he is marked a felon ; but being a pauper, he becomes a felon before he is ripe for the asylum ; abridgment of opportunity, and the discipline of a prison, preserve him in the incipient stage.

In confirmation of this view of the subject, it may be remarked, that in the comparatively few cases in which men in the higher walks of life become amenable to the law, it is usually found that it is for some of the offences that fall within the description of malicious violence to the person. When the passions of a malignant type are those habitually indulged, such as anger, jealousy, revenge, or the coarser sensualities, reason, though aided by all the restrictive penalties of the social code, becomes subdued in his case as easily as in the lowest class ; murder, and manslaughter in all its variety of guilt, violence to women, and even vindictive injuries to property, are crimes not confined to the pauper class ; though far more frequent among them, simply, because reason has not been fortified by habits of self-control, and strengthened by education.

Nor is it less important to remark that, though in common with the rest of the world liable to other predisposing causes, the Society of Friends is exempt from intemperance as an inducement to insanity, and equally exempt from appearance in our criminal courts. Some spurious offsets of their body have now and then been arraigned, as, for example, Tawell ; but it has always been found, on inquiry, that in these cases the dress had only been temporarily assumed, or the membership of very recent date. That mental powers and peculiarities are often transmitted from generation to generation, is undoubtedly true ; but it would be extravagant to infer from this, any peculiar idiosyncrasy distinguishing the whole sect. In truth, those who have been admitted to terms of intimacy with them, a privilege which we have often enjoyed, know very well that, as a body, they yield to none in strength of passion, or generous warmth of feeling. Prudence, certainly, wears with them a severe aspect, but it is a self-controlling, not a freezing prudence. Where passion is right in its direction, and noble in its object, no man will give the reins to it with more freedom than a calculating and prudential quaker.

And, to adopt the habitual phrase of one nearly allied to them, the late Sir Fowell Buxton, who was not less sound in his argument than resolute on his point, who never maintained a point where argument

was wanting, nor wanted argument when the point was generous and good, "the sum of our argument is this,"—man, as an animal, is endowed with instinctive properties for self-preservation ; but, created for responsibility, volition is given to him that he may be a free agent, and certain faculties that we designate as "reason," are also given to guide his acts by reference to their consequences. His animal instincts impel him in a right direction, and his volition, partaking of animal instinct, carries him to excess ; reason's function is to restrain volition in its tendency to excess, by the fear of penal consequences injurious to the animal nature. An unceasing conflict is thus maintained between two antagonistic powers. There can be no compromise between them ; one or the other must succumb. If reason habitually triumph, she retains her seat till death ; if she habitually yield, at last, she abdicates from debility and exhaustion. We have shown the identity of crime with insanity, in its progress, its objects, and its results. We have proved that intemperance, in its largest sense, is the predisposing cause of both, except in such lunacy as in its development betrays the acknowledged signs of local disease or organic malformation ; and we have drawn this proof from statistics published by authority, or sanctioned by large medical experience. We now propose to proceed to the consideration of the remedy. But to effect a break in our elaborate dissertation, as our judges retire for half-an-hour at one o'clock for a glass of sherry, after a speech from Thesiger or Kelly, we will here introduce our promised narrative, in the same homely dress of grammar and orthography in which we have received it. It is extracted from an official report of the Rev. I. Clay, the chaplain to the Preston House of Correction. We have erased some portions of it not applicable to our subject. It will be found to contain a most striking picture of the graduality of intemperance in generating crime. It is the autobiography of a coiner.

"I was born in 1800. My father was an honest and an upright man, but he was much afraid some misfortune would occur to me, and his words has proved true, for I have gone through more than all my sisters and brothers put together ; but I have earned the most money. With all my earnings I am now by far the worst off ; all my sisters and brothers are in very creditable circumstances, while I am now within a prison walls. My father left seven children. We were all sent to live with my grandmother, but we were all soon separated. I was put to live with a man at the place where I was born. He was a man that I believe never attended any place of worship, except upon the occasion of a wedding or burying ; but I often heard him and his mates boasting which had the best game cock, and which was the best fighter. He had eight brothers, who were all fighting men : they were all hand-loom weavers, and they kept a snug farm. It was about the time that peace was made, after the battle of Waterloo.

"At the beginning of the week, for two or three days, it was drinking, fighting, and cock-fighting, card-playing, &c. His wife died, and we were then removed to his parents. We were about twenty, all in one family. There I learned to know what it was to be without parents, for I was under the control of the whole family: if I disobeyed any of them, I was rewarded with a kick or a blow. One Sunday I went to see my grandmother, and I had four or five cuts on my forehead and ears, some of them bleeding at the time; so my grandmother got me into the factory, Lower Darwen, where I was bound apprentice for seven years. I never was so happy as I was at that time, though I never saw anything like religion exercised. The master was not content with the bell-ringing, but used to come to every door in the morning to call his workpeople up; and I have known us to work until sometimes eleven o'clock at night, and on Saturday nights occasionally until twelve; and after that time he would take all the men to the public-house and give them plenty of drink, and they would continue drinking until the morning. On the sabbath they would lie in bed all day.

"I served my time honestly, and I had not a bad master after all; but he was a heavy drinker. In his mill a schoolmaster attended twice every day, to teach all the hands that had a mind, and from him I got most of the little learning I am possessed of.

"I was married, August, 1824. We had 33*l.* and a few shillings, and all things went on very smoothly for a long time. I still kept in work at the same mill, and we got on very well until the mob attacked it in 1826, and broke all the power-looms; so I was six months without work; so I went over to Wigan, and I had 10*s.* a week for looking over the other spinners, and I was getting upwards of 2*l.* per week off my own wheels, and all this time I never got to drinking; but soon after I got to like drink, and made a practice of going every Saturday night with my wife and the other spinners, till at last I got to taking whole days. When I first started to drink I had above 200*l.* in money, and as good furniture as any working man need have. We had been married above nine years before I began resorting to these places, which have been my destruction. I *was* a happy man. I used to have my children well clad, well fed, clean, and comfortable, and my wife the same; and I could go to a place of worship on a Sunday. When the labour at the factory was over, I used to work two or three hours at home for my own pleasure and advantage. I had a lathe, and got many a crown for making chairs, &c. I carried on drinking for a long time, still going longer and worse, until my money began to lessen very fast; so I began to be more steady, and did not drink much for near twelve months. I earned that time, with what I got in the factory, upwards of 3*l.* every week; so in one year I saved between 70*l.* and 80*l.*, besides maintaining a wife and four children. When I think on those days, and my being now confined in a prison, and that same wife likewise, and one of those dear children that we used to take such delight in, confined within a few yards of me! And what can be the cause of this do you think, seeing that my former circumstances was so prosperous? I can explain the cause in a very few words:—neglect of the sabbath, drunkenness, and bad company; but drunkenness, I do affirm most

solemnly, has been the cause of all the other evils. But to my story. I worked at that mill twelve years, until our master's health began to decline, and the mill began to make short time; and what little the mill did run I was not to be found, for my time was the most employed in the public-house; and this was the time I began to ruin myself; and, still worse, my wife commenced drinking, and then all soon went to ruin. At our master's death the mill stopped altogether, after which I left Wigan. I had been at Bolton and taken a beer-house, and had promise of work at Mr. Bolling's. I took the beer-house, thinking as my father and mother-in-law had nothing to do, they might make a little by selling beer. We might have done very well had I been steady, for I got a very good pair of wheels, and the house I had taken was convenient to the factory, and we got a good deal of custom: they came at night when the factory was over, and we would let them stop until twelve or one o'clock in the morning, cursing and swearing, and me, and perhaps my wife and her father; and no one but the old woman to fill, and perhaps twenty men drinking in the house. I have slept in my clothes all night, and have had to go to the hot factory at half-past five in the morning, and the spinners, perhaps four or five, lying on the floor, they were so drunk. As soon as I could get them up to go to work, they wanted more drink; and we would sometimes take five or six quarts to the factory; and as soon as we could we would get all our big piecers to spinning, and we would creep out of sight of the overlooker to drink, so that at breakfast time we might have another fetching; and this was the way we used to go on, so I got the name of a regular drunkard; and the manager told me, if I did not give up the beer-shop he should be obliged to acquaint the master, for, he said, all the spinners were getting drunkards. At this time my wages, on an average, after paying for rent, milk, and beef, was about 32s. per week clear; but I found that the hot factory and so much drink was causing my health to decline; so I left Bolton, and went to spin for Mr. Sidebottom, in Derbyshire, and the old people came to live with me, and we were very comfortable. I was getting much less money than at Bolton; but we began to mend; for I began to joiner a little at night; and it was well I did so, as the mill went on short time for above six months; and as there was no one who kept a joiner's-shop, I got as much work as I could do. Just at that time my wife fell sick, and continued so above twelve months; and then one of the children died. I took much to drinking through the death of that boy: but drinking was a sinful folly; and if I had the same to do now, I think that instead of flying to the alehouse I should fly to the house of God. At this time I was getting but small wages comparatively—about 1*l.* 2s. or 3s. per week, and my three children used to get about 10s. per week between them. I was there about nine months weaving, before I got a situation as overlooker. I was at that place but a very short time before my mother-in-law died; and that was the worst shock I had ever experienced; for we had six children, and my wife was not able to attend to them, on account of losing the use of one hand during her sickness. I think after the death of my mother-in-law, I was more negligent in my duty to my family than I was before; and I began to drink and

neglect my work; sometimes off my work a week or a fortnight drinking; and the last time I was off, the master told the manager I must not start any more. With that I took about 2*l.*, and went to Ashton to see for work; but instead of looking, I went straight to the place of drunkenness, where I knew I should find plenty of company that were spending their money and neglecting their families, like myself. I could, at that time, have gotten near 2*l.* per week with comfort, if I had been a steady, sober man. I went to Ashton on the Wednesday, did not return home until Sunday morning, with not one penny in my pocket, and 1*l.* in debt.

"I went to Blackburn to see if I could get work, but when I got amongst my old friends, I could find but little time to look after employment for drinking. I was three weeks at Darwen and Blackburn, and had come near forty miles for work, but did not ask any person for work, though I had it offered me if I would bring my family. At last I did, and we were getting on very well, but my wife took to drinking very heavy; she had got acquainted with a class of women that made a constant practice of drinking: often when we came from the mill have we found her drunk in bed, and nothing prepared for us to eat, and having at that time four children unfit for work, who were destroying and wasting the provisions we had to live on, for the want of a mother to look after them. Bad as I was, I never lifted my hand to strike her in all my life, for I was aware that if I had been a sober man, my wife would never have been a drunkard; so I began to think it would be the best plan to leave the town altogether, to separate my wife from her drunken companions; so we went to Bolton, and I made the acquaintance of a regular set of drunkards, who would do almost anything to obtain money to spend in drink. I was always ready for a spree, and they were never short of money, though they were scarcely ever seen to work. One of them was a very good shoemaker; his name was N. S.; the other was a labourer, and went by two or three different names. One day, as they were all drinking at my house upon a Sunday, I said to them, 'I do not know how you men scheme it, for you are never without money, and you work very little.' 'Ah,' said one of my new pals, 'there is none who will work except fools and horses;' and I said, 'I should be very glad if they would teach me, for I was getting very tired of working;' and they did learn me, to my sorrow. A very short time after they told me the grand secret, that they got their living by making and paying bad money; and they told me they could get as much money on a Saturday night as I could get in a whole week by working. So it was agreed they should get some ready by next Saturday, so we all three set off to Tyldesley Banks. We went through Straight Gate, and came back through Chowbent, and we paid that afternoon and night about 4*l.* They declared I was one of the best payers they ever saw; and no doubt I did my part well, for they gave me drink, and drink possesses me of a false spirit. They gave me 10*s.* for my share in that afternoon's work, and 10*s.* in bad money; and I paid that ten on Sunday in good time; but when they got to know I paid it in Bolton, they said I must not pay any more, for it was very bad to pay in the town we reside in, for it may cause suspicion, and that

sometimes caused inspection. I kept company with those men upwards of twelve months, making and paying more or less every week. I had left off work long before the year end, and followed nothing except the bad money trade and drinking. But I had many narrow escapes from the police. They were both taken before me. While we were all drinking in a liquor-vault in Bolton, in came three policemen, and took both of them, but they took no notice of me; so I went home as soon as I could, and removed all that was in my house out of the way, for I had about 4*l.* or 5*l.* of bad money there at the time, and three moulds. They were both committed to Kirkdale for the assizes. At their trial I provided them both with counsel, and they both got acquitted. When they came back they soon commenced their old trade again, and wished me to join them; but for three or four months I had nothing to do with them as regarded the bad money, although I went with them drinking, until at last I joined them at the same game again, and I was not long with them the second time before I was taken prisoner. I got with my old mates again, and I asked them what I must give them to make me a few pounds, and N. S. said they would make me 10*l.* for 10*s.*, if I would find the metal, and they would come to my house to make it on Sunday morning: Sunday was the best day for making, as the police were always engaged in other business; and I was to buy a dozen of Dixon's best Britannia metal spoons. We all got quite drunk that night before we parted, and it was the last time we three got drunk together, for in a few weeks we were all three in prison, myself first. I was taken in Bolton, in a drunken state, with about thirty base six-pences, shillings, and half-crowns in my possession, for which I got twelve months. When I had served my twelve months, I found my wife and the younger children in the workhouse; those that were old enough to get their own living had left her, so when I come out I had no home or friend to go to, for all my relations had turned against me; so I went to Bolton, and was well received by N. and a few more of the same sort; there was plenty of drink, and plenty of bad money. On Monday morning my wife got a pound from the overseer to leave the workhouse, with which we bought furniture, and I got work for myself and as many of my family as was able to work. We had not been above ten days in work, before the police came to the factory and told the master we were a set of bad money makers; so the master sent for me and told me we must get another situation, as we had been very badly reported to him, so we were all without work again. So I asked myself what must be done now, as it will be of no use my trying to get work in this country; so I said to my wife, 'Go and get the children in work if you can, and I will try the bad money system again, in order to get a little to leave the country altogether, if I can.' Trade was very bad at that time, and we could get no work, so we continued paying until my wife was taken with Mrs. Preston. They both pleaded guilty, and Mrs. Preston got six months in Preston house of correction, and my wife three months. So I was left with eight children for that time, five of whom were not able to work, had there been any for them; but there was no work at that time for one-third of the people in Lancashire, as almost all the factories were either standing or running short

time. So I went to the relieving-officer and before the board of guardians; but the workhouse was full, so they gave me a paper to get soup and bread, and I was very thankful for it; but all we got from the charity was not sufficient for my family, for we were nine in all: how were we to live? To carry on with bad money was very dangerous, and owing to my wife being taken, the police came several times to my house to search, so I got a few shillings from the relieving officer to begin barbering; but I got very little custom, so I was determined to see my children starving no longer, for we were whole days and never tasted food, so I went to Bolton to see if my old mate N. S. could do anything for me. When I got to Bolton, N. had got twelve months in the New Bailey Prison, Manchester, for buying stolen goods, but his wife was very glad to see me, and gave me 5s., and put me about 5s. or 6s. worth of food up to take to my family, and she said she could let me have some metal that N. left. It had been stolen, she thought, for N. had told her she must keep it in the house. So as I was waiting of this woman raising the plant, I went to see my acquaintance old J. O. and K., as they had a quantity of base coin in plant, and they said if I dare pay any I must have a few half-crowns or shillings; so I took a few of each sort. O. said if I had a mind he would come to Blackburn with me and stay with me until my wife came home, for no one knew him in that quarter. So I was glad of his proposals, and we returned together to Blackburn, having got the metal from N.'s wife, and about six pounds in base coin. When I got home my eldest daughter was waiting up for me, so I went and fetched a gallon of the best beer and a pint of rum. Honesty is the best policy. Yes; for whosoever defraudeth his neighbour shall be found out, as my present situation in prison plainly shows; my wife is in prison, and my oldest son also. I am the father of nine children, or was so when I came here, but up to the time I write this I have heard nothing of them; we have had thirteen children; I am upwards of fifty years of age, and my constitution much injured through imprisonment. We have completely lost our character. Had I done what was right in the sight of God and man, my children might have proved a blessing to me and my wife in our old age; and I am convinced had I done as I should have done, that one or two of those children now in their graves would now have been living, for my wife, through having to look after me, and being in trouble, neglected the little ones. It is my sincere wish, as a penitent, that those who read this narrative may profit by it, and I wish the reader to compare the commencement of my married life, when I never frequented the public-house, and was happy in my own house, with the amusement of joinering or birdcage making, with that which followed. The publicans got so little of my money that we had always credit sufficient, and no person had to say, if they came to see us, we were short of anything. There could not be a more happy couple than we were; we never had a cross word for years after our marriage, and as to blows, I never struck my wife in all my life. Ah, but since I had to do with that destructive and ruinous drink and base coin, I have been the most unhappy man living."

As an example of the tendency of one form of intemperance, this tale is conclusive. Similar gradations will be found to exist in all its varieties, whichever may be the passion habitually indulged. The crowning act of irrationality or crime is no index to guide us to the diseased passion; for though, in our unsophisticated state, each has its peculiar province in stimulating to acts necessary for gratifying our instinctive wants of self-preservation and self-generation, yet passion begets passion in such large variety, that at last we cannot distinguish the progeny from the parent stock, or appropriate to each its peculiar functions in the animal economy. We cannot trace back the crime or the folly to its motive, from its own peculiarity of feature. Tawell committed murder to conceal the shame of a minor offence. Rush committed murder from revenge. Burke perpetrated the same crime as a trading speculation. Eugene Aram (divesting the story of Bulwer's romantic colouring) from a combination of vanity and cupidity. Thurtell and his associates, in aid of gambling propensities. Not one of these cases was marked by drunken habits. Not one of them was free from the visible taint of irrationality. Yet, apart from the circumstances disclosed on trial, who could have assigned an adequate cause for their respective crimes, except in the habitual and intemperate indulgence of some favourite though latent passion?

It is in this comprehensive sense that intemperance is included among the predisposing causes of lunacy for which a remedy should be provided.

This remedy is to be found in a revision of our system of national education, so as to give it more extensive operation, and a revision of our criminal code with a view to its greater efficiency: the first of these remedial measures is sufficiently obvious; the last will not be less acknowledged when we examine closely into its present administration.

It would be waste of time to argue out the truism that self-control is the invariable fruit of early education.* Of course it is; it is at once

* There is one singular exception to the general rule most ably established by Mr. Fletcher, in his "Moral and Educational Statistics," that crime decreases as education advances. This exception is to be found in the county of Cheshire, "which," observes the learned author, "stands alone in its inky blackness in every moral characteristic, except in regard to instruction, in which, unhappily, it bears a more favourable tint than nearly all that surround it."—*Stat. Soc. Journal*, vol. xii. p. 191. From our personal knowledge of that part of the county which contributes its undue share of crime, we can explain this seeming contradiction to Mr. Fletcher's doctrine. He estimates the amount of crime by the number of commitments; a very fair criterion, because every commitment is strong presumptive evidence that a crime has been committed, though the guilt of the party accused may be doubtful. In the case of Cheshire, however, it is not so; for in that large and densely peopled district, of which Birkenhead is the centre, and which, from its vicinity to Liverpool and the coast, is probably the most prolific of crime, the bad system prevails of paying no salary to the magistrates' clerks, and of remunerating them for their professional services by the costs of the prosecutions. As county justices are rarely able to move a finger except under the guidance of their clerk, there will never be any lack of commitments when the clerk has no other treasury to look to for remuneration!

the end, and the means of accomplishing its own end. Yet the deficiencies of our national system are such that one might almost suppose that this admitted axiom were still to be explained to the conviction of our legislators! They certainly have adopted as a general principle of legislation a maxim so antagonistic in its character, that the progress of education among the lower classes is almost arrested by it. Compulsory adoption of the opportunities of education is considered incompatible with the just liberty of the people. Hence it is left optional even to those who cannot appreciate its advantages. If it could be proved by a comparison of the statistics of crime and education, that the latter is practically inefficient to check the former, some weight might be allowed to this objection, founded on principles of civil liberty. This comparison has been attempted on very insufficient data, as regards the statistics of education, it must be confessed; still the result corresponds with our views. In some papers read to the Statistical Society by Mr. Fletcher, and which appear in their quarterly journal for August, 1849, the learned author states as one of the "conclusions" at which he arrives:—

"The conclusion is irresistible that education is not only essential to the securing of modern society, but that such education should be solid, useful, and, above all, Christian, in supersedence of much that is given by the weakest of the day-schools, and attempted by the most secular of the Sunday-schools."*

It is a "conclusion" of common sense as much as of statistical calculation. But the objection is destitute of the foundation on which it is assumed to rest: compulsory education is no violation of our free constitutional principles; so far from it, that instances are not wanting in modern times of the parental authority being superseded, even in the highest ranks of society, by the judgment of our courts, when that authority was wanting in providing suitable education for the child. The Wellesley case is familiar to every lawyer, and almost to every layman. He must be a very subtle logician who can suggest any difference that property makes in the principle, though it supplies the only means of bringing such questions within the jurisdiction of the Court of Chancery. If it is competent to that court to take its wards out of the paternal control with a view to their proper education, it cannot be foreign to the duty of Parliament to exercise a similar discretion as

* We cannot quote from Mr. Fletcher's papers without acknowledging the obligation he has laid upon the public by his talented and elaborate researches. These papers contain a mass of most valuable information, ingeniously classified and arranged: we do not wish to qualify our commendation, if we add the expression of our regret that they are not prepared with more attention to perspicuity and style—an error common to too many dissertations of the learned upon statistical subjects.

regards the infants of the realm, who, in common with their parents, are protected by its wardship.

It is not essential to our theory to go into the controverted question of educational principle; whether exclusively secular, or partially religious, all education must be necessarily based, more or less, on self-control. It is upon this, and on this alone, as an habitual discipline of the mind that we insist, as indispensable to sustain reason in her daily conflict with the turbulence of passion: a system of education that adds to other restrictions on excess, that which in well regulated minds is the most powerful of all, the apprehension of the divine wrath, is of necessity preferable to any other; but it is the discipline of education which we invoke, as the most efficient of moral means to restrain every form of intemperance that enfeebles the power of reason. A lamp-lighter and a letter-carrier are equally exempt from gout, so far as exercise will save them.

Returns of the schools of all descriptions have, we believe, been for some time in preparation; if made, they are not yet accessible to the public. We must content ourselves with the information we can derive from the blue books, entitled "Minutes of the Committee of Council on Education," relating to those schools which receive assistance from the parliamentary grant. It is not probable that the more general returns in preparation will prove more instructive on the particular points to which we propose to draw attention.

We collect from these Minutes for 1850 and 1851, page 156, that provision is made in England for the accommodation of 622,828 children in our national schools, not confining the term to those which belong to the Church of England. Considering that by the census of 1851, the population of England and Wales is 17,922,768, this would seem to be a very inadequate provision; but when we add that it appears from the same authority, that only 241,836 children habitually attend these schools, and that estimating the number of those who do not attend, by the proportion of absentees in Wiltshire and Berkshire (the only two counties of which the number is given), there are at the least 357,000 who never approach them, it will be probably thought that the provision is ample for the existing emergency, and that we must look elsewhere to account for the ignorance of the lower classes.

The reader will refer to these two books in vain for our authority for this calculation, without explaining the manner in which we arrive at the result. He will find annexed to the report of each district-inspector a table giving the number of children in habitual attendance. These tables include thirty-eight of the English counties and the Isle of Man. By adding together the numbers indicating the average attendance in each district, including the Roman Catholics, and such of the Dissenting

schools as participate in the grant, we obtain a total of 241,836; and by comparing this with the proportion of absentees in Berkshire and Wiltshire, estimated, at page 141, to be 46,611 to 31,943 of labourers' children, we obtain, omitting the fractional parts of a thousand, 357,000 for the non-attendants. This is, of course, a loose calculation, but it is the best that can be made from any statistics already published, and it is sufficiently accurate to warrant our inference that the ignorance of the million does not arise from the want of opportunity.

Whence then does it arise? The experience of an anonymous writer is not of much value; yet fifteen years of that experience, in very different localities, enables him to offer a very plausible answer to the inquiry.

Poverty compels selfishness. It is not only uncharitable but absurd to suppose that the pauper parent is wanting in parental affection; for that affection falls within the class of our animal instincts; but when employment is precarious and food uncertain, all other considerations must yield to the necessity of securing the daily meal. An infant under six is an incumbrance, for he contributes nothing towards the common maintenance, while he monopolizes the mother's time; he is, therefore, gladly sent to the infant school; it is worth a penny a week to get rid of him during the hours of labour; but when he attains the age of seven or eight he can help to clean the house and watch his younger brothers and sisters, if he can do nothing else, and the mother thus gains two or three hours a day for profitable labour. At the age of twelve or thirteen, even the child can earn a weekly shilling or two in aid of the common purse. Were his own interests alone to be considered, he would be, far more wisely, kept at school, and especially at that critical age when the strongest passions begin to show themselves; but this cannot be, for "he must earn something." Such is the answer we have received in innumerable instances to the question "Why not send your boy to school?"

When the lad attains adolescence, he is quick enough to perceive that his weekly pay exceeds his share of the domestic expenditure, and at eighteen or nineteen he throws off the yoke, and, if he does not improvidently marry, he spends his money in the beer-shop, and begins that system of irrational self-indulgence of which we have been tracing the progress to crime and insanity. We have at this moment under our charge a pauper school, nominally consisting of some 150 children; from causes such as we have described, it is impossible to secure an average attendance of more than half that number, even upon Sundays. Personal expostulation with the parents is not wholly thrown away, for we have extended the average from forty to eighty-three by this means; yet, beyond this, advance seems impracticable.

We are fully sensible that in all this we are stating nothing new. There is not an individual that has personally exerted himself in the formation of parochial schools who cannot quote the same experience; but we imagine that it will surprise many to learn from the statistics of intemperance, what are the physical results of such a well known system.

In the Journal of the Statistical Society, for September, 1851, there is a paper by Mr. Neison, giving a comparative view of the mortality in persons of temperate and intemperate habits, at all ages. From this paper we learn that, at the early age of sixteen to twenty, the mortality in England and Wales, of the intemperate to the temperate is as 1·8 to ·730! and from the ages of twenty to thirty, as 5·1 to ·974! Is it possible to attribute this vast disproportion to any other cause than the early emancipation from all control that is the unhappy lot of more than half the labouring population?

The same authority, and writing, be it observed, on official data, namely, the returns of the registrar-general, supplies us with another result directly bearing upon our thesis.

From the age of twenty-six to thirty, delirium tremens is the cause of death in the proportion of 7 to 1 of nearly every other disease; from thirty-one to thirty-five, in the proportion of 10 to 1; and from thirty-five to forty, of 16 to 1; and, generally, diseases of the head are the cause of death in the proportion of 97 to 82 of respiratory complaints, and to 83 of diseases of the liver.

We have failed in discovering any average of the age of criminals, calculated upon authentic data. It varies between twenty-one and twenty-four. In the absence of correct information we lay no stress on this circumstance; but it seems worthy of remark, that for the three years, 1845, 1846, and 1847, the average number of commitments tallied very closely with the number of lunacies. We have already mentioned that the latter amounted to 26,516, while the former amounted to 20,698. —*Stat. Soc. Jour.* vol. xii. p. 207. This is easily explained by the axiom that like causes produce the like effects; the excess on the side of lunacy may be accounted for by the fact already noticed more than once; that intemperance, where it leads to legal criminality, is often arrested in its progress by the imprisonment of the offender, while it proceeds unchecked by the abridgment of opportunity, so long as its irrational excesses keep within the pale of the law.

When we advert to the revision of our criminal code as the other remedial measure, we limit ourselves, of course, to such an amendment of it as may render its restrictive power on the intemperance of passion more stringent; we suggest, as moral jurists, not as law reformers; all punishment has, or ought to have, in view, self-restraint, as regards the

offender, and example as regards others. The lax and capricious administration of our criminal law deprives it of much of its efficiency in both these particulars.

The distinguishing trait of irrationality is recklessness of consequences, while good sense, and the self-denial which it inculcates, are equally marked by a prudential regard to consequences; the more speedy and certain these consequences are, the less is the effort of self-denial required. Even the habitual drunkard will not drink a tumbler of brandy at a draught, for he has sense enough remaining to know that it is immediate death. Burke, or his disciple, Bishop, would not have murdered a man for the value of his body, had instant detection and Lynch law been inevitable. The criminal of every class speculates on impunity, and he speculates with more chances in his favour than is commonly supposed.

First, he has the chance of escaping detection; this is not inconsiderable where there is no organized police. From the narrative which we have extracted from Mr. Clay's report, some estimate may be formed of the extent to which a man may go in his career of crime, even where detection is apparently most easy.

Then, if detected, he has the chance of escaping prosecution; a man's public spirit must be very great indeed, who will incur the cost and trouble of prosecution in ordinary cases. To waste three or four days in awaiting the pleasure of an unpaid magistrate, to travel some forty or fifty miles to the assizes or quarter sessions, there to be detained for three or four days more, and to pay travelling expenses for himself and half-a-dozen witnesses, hotel expenses, and legal expenses, and be allowed about a fifth part from the county purse, is a sacrifice which a man may, in his simplicity, make once, but he never will again. The culprit knows all this as well as a county magistrate or his clerk.

Then, if prosecuted, he has the chance of being acquitted, either from some legal oversight, or the sentimentality of a jury. The value of this chance may be guessed from the fact, that out of 28,833 commitments in 1847, not less than 7251 were acquitted or discharged for want of prosecution.

And lastly, if convicted, he has judicial caprice in his favour; for out of the number of 21,542 that were convicted in the same year, not less than 15,499 were sentenced to less than six months' imprisonment. If they chanced to be the winter months, this punishment would be a boon to nine-tenths of them.

With such an accumulation of chances in favour of impunity, and with such a remote possibility of severity of punishment when it happens by any accident to follow, what becomes of the self-restrictive tendency of our criminal law, where the social condition of the

culprit is so low as to render inoperative the fear of losing caste? Nor is the exemplary force of punishment less endangered by the capricious inequality of its infliction.

The million derive their impressions of legal obligations by experience of it in the persons of others, if not of themselves. They have no instruction in the principles of jurisprudence, or of ethics; no access to tuition, either oral or written, on subjects like these. Their estimate of the criminality of excessive self-indulgence is formed by its visible effects. They restrain an intemperate propensity because they see the drunkard revelling in misery, or the thief carried away in handcuffs to the cells of a prison. Such plain matter-of-fact lessons as these are sufficiently intelligible, and their impressiveness ought not to be diluted. But what must be the confusion created in their minds as to the heinousness of crime, or the guilt of excess, when in one town the poacher is visited with more severity than the burglar, and in another with less? When the bigamist is imprisoned by one judge for a month, and by another for a year? When the perjurer is fined to-day, and transported to-morrow? When the manslayer is sent to Norfolk Island from the Old Bailey, and to the treadmill from Aylesbury, or possibly discharged with a reprimand, at Chester? What can they know of "extenuating circumstances," who never hear the trial? or of the subtle distinctions of time and circumstance, that mitigate the penalty, though they affect not the legal classification of guilt? Our diversities of judicial administration are yet more singular. A cow may sometimes be stolen with more safety than a cabbage; a banker's parcel at less risk than a pocket handkerchief; or a rib broken at less expense to the assailant than an eye blackened! More strange still, a man may be punished in one place for an offence of which he has been just acquitted by the jury; and another, tried elsewhere on the same charge, be discharged scatheless, notwithstanding a conviction! This requires substantiation, and it shall be given. The other instances we have mentioned are so familiar to every reader of a daily paper, that quotation of examples is unnecessary. The recent assize reports will supply them in abundance, to anybody who will be at the trouble to examine them.

At the Quarter Sessions at Knutsford, on the 27th Nov. 1851, one James Blakeley was tried on a charge of assaulting a young woman, with intent, &c. No evidence was offered of any other assault. The jury acquitted him of the assault with intent, and found him guilty of a common assault. This was obviously a blunder; but the chairman of the sessions, a Mr. Mannering, immediately passed sentence of nine months' imprisonment, stating it to be for the "indecent" assault. Just two months afterwards, on the 27th of January last, a man was tried

at the Clerkenwell Sessions for precisely the same offence, and under circumstances as nearly similar as could be. The same result followed. The jury acquitted him of the graver charge, and found him guilty of a common assault. In this case the judge was a lawyer, instead of that hermaphrodite class, a county magistrate. Mr. Serjeant Adams decided such a verdict to amount to an acquittal, and discharged the man.

Our criminal code is alike deficient in certainty of offence, certainty of prosecution, certainty of conviction, and certainty of punishment. The first, second, and fourth of these defects admit of remedy; and till that remedy is applied by a graduated classification of crime, by the appointment of a public prosecutor, and, more than all, by displacing the whole body of county justices, and transferring their criminal jurisdiction to responsible stipendiaries, educated in law, we cannot hope to obtain that restrictive efficacy upon the excessive indulgence of animal passions which ought to follow the administration of all punishment intended to be exemplary to others.

We have been betrayed into greater length than we intended; and yet we feel that we have, after all, treated our subject more superficially than is consistent with its importance. We must plead the hacknied excuse, that a periodical essayist is limited to the opportunity of suggesting to others objects worthy of their attention, and the means whereby they may be accomplished. If our review of the progress of insanity and crime be correct, it is for the statesman to follow up the of the statist.

ART. II.—THE PSYCHOLOGY OF EPOCHS.*

THE chart of universal history displays a succession of prominent events, which have overwhelmed and changed the face of the political, as completely as the great deluge did that of the physical globe. These events form a portion of that development of the expanded intellect scattered over the space of centuries. Each crisis in this mighty series has been as decisive as it was transient; like the gourd of the prophet, it arose in a night and perished in a night; and the troubled morning that afterwards broke on the astonished world was entirely new and unexpected.

The human species, like the individual, is, in its main elements, everywhere the same. East, west, north and south, communicate with each other; the ancients with the moderns, the young with the old,

* Coamos. By Humboldt.

and, by the help of revelation, to-day with futurity. Identity is the common quality of our nature ; nor is it until we examine the person by himself, or nations in the mass, that we recognise the essential difference that distinguishes their respective conditions, ages, and epochs. The laws under which we dwell, the climate in which we are born, the number of years that we have lived, or that the earth has existed ; our natural complexions, infirmities, habits, and propensities ; create such absolute discrepancies of colour, form, features, and expression, that, when brought into juxta-position with each other, we can hardly believe ourselves to be the children of one large family sprung from the same root and common stock of all. Look back on the past with an impartial eye ; disperse the halo of classic light that surrounds each object with a fictitious splendour ; and candidly examine the psychology of bygone ages in the field of a microscope illuminated with the broad rays of criticism and truth. Stand forth, O ye generations long since extinct, and pass by unveiled before us in your own solemn grandeur and stateliness of thought and passion !

Fifteen hundred years ago, there existed, or rather subsisted, below the horizon of the barbarous and civilized populations of the earth, a vast body of human beings without a recognised rank or title, *vulgus sine nomine*, grovelling on their knees, and supporting the huge fabric of society upon their degraded and crouching shoulders. We shudder at the thought of an abject set of mortals destitute of poetry, law, and right, speechless and passive. They were neither human beings nor things ; yet they were both a thing and a human being without which the old world could not have held itself together for a single day, or hour,—the necessary, but invisible pivot upon which turned the heartless paganism of three thousand years. It belonged not to any city or province in particular, nor to any one quarter of the globe, more than to all the rest. It was a common domestic commodity in daily use, from east to west. Persepolis, Athens, and Heliopolis, so different from each other in every other respect, were exactly the same in this, that slavery was a piece of state machinery successfully practised by them all. Empires and republics, leagues and institutions, rose up, flourished for a while, and vanished from the face of the earth, like successive crops of vegetation, while slavery remained the same beneath every change, an indigenous weed deeply rooted in every soil. Time, that ameliorates most things else, only helped to lock the fetters still more tightly round the wrists of the sulky slave. The reigning world stalked by and trod upon his neck. The pomp of power banished him from the rites of religion and the sacred service of the gods, as sternly as it repulsed him from the frowning portals of the great. The only boon that pride assigned him for his bitter portion, was that narrow

and undisputed isthmus of mortality, just lying between life and death.

At this distance of time, and circumstanced as we now are, this gloomy description appears incredible. It is more like a pathetic episode in some romantic novel of the day, than a cold reality, which had an actual existence ; neither is it easy to account for its origin and continuance. Gibbon, who is reluctant to admit of any statement adverse to the credit of heathenism, whose honour he undertook to vindicate, blinks the inquiry by ascribing it to the right of battle ; and Montesquieu, who is sometimes superficial, ingeniously imputes it to the tyranny and enervating climate of the East. But neither of these explanations meets the point in question. For slavery formed as much a part of the vivacious confederacies of Greece, as it did of the monotonous despotisms of Asia ; it prevailed in the cold regions of the north as much as it abounded in the warmer countries of the south. We may trace it everywhere, among the savage as well as among the more civilized populations ;—indeed, it may be affirmed, that, wherever the foot of man pressed the ground, thither slavery accompanied or pursued him, to his lasting vexation and disgrace. Like Gibbon, Rousseau and Hobbes have sought for its cause in the result of arms ; and the lawyers of the Justinian period derived its name from *servus de servatus*, a person reserved *ex prædâ victorum*, as the prize of victory. But this legal definition, although framed within sight of slavery when it was just beginning to be impugned and exploded, does not solve the difficulty. Even granting that it sprung from the right of conquest, it does not clear up the puzzling part of the inquiry, namely, how it could have been tolerated and maintained, without dispute or protest, for so many centuries in succession ? No philosopher ever rose up to oppose it. Popular opinion was decidedly in its favour. It was based upon the common consent of the world, and insisted upon, not only without inflicting any violence on any preconceived prejudices, but directly in accordance with an acknowledged consecration of the principle of slavery itself. It was venerated as a right divine.

The slave was a human being the same as his owner, with the same passions, hopes, and fears, elicited, of course, in a different manner, owing to the same circumstances operating differently on them both. Their number was immense. During the civil commotions of the Gracchi, there was a servile war in Sicily, and 70,000 of them revolted at once. At Athens, in the time of Demosthenes, they were calculated at 400,000, which was three times as many as the free inhabitants of the city, the foreign settlers included. In the Peloponnesian war, 20,000 passed over to the enemy, as Thucydides tells us. The same author says, that at Chios their number was very considerable, and that

their defection, when they deserted to the Athenians, reduced their masters to great extremities. At Rome, their multitude was such that they were afraid of giving them a distinctive dress, or uniform, lest it should make them acquainted with their own overwhelming force. Catiline might have succeeded in his conspiracy, had he but armed the slaves; only he might very reasonably have been afraid of their managing the victory so as to suit their own purposes instead of his. Alaric was determined in his resolution of sacking Rome by a re-inforcement of 40,000 slaves, who ran away from the city, and joined the ranks of the barbarians, for the sake of sharing in the expected plunder. At Tyre, the slaves once rose up in a body against their masters, and massacred them all. The Scythians, on their return from the Median war, found their slaves in rebellion, as Herodotus tells us, in Melpomene, and were obliged to abandon their country to them, or recovered it only after a very severe conflict. Cæsar, in his Commentaries, bears witness to their numbers in Gaul; and Tacitus says the Germans held them in great contempt, and counted their lives as nothing.

Slavery continued in England for a considerable time after the conversion of the Saxons. They were by far the most numerous class of the community. The words *villagers*, *villici*, *villani*, are derived from them.

The degradation in which they were held is incomprehensible to us in this period of the world. Herodotus says the Scythians deprived their slaves of sight on account of some disgusting office they had to perform in their household; and Plutarch mentions, in his "Life of Cato," that this famous man used to sell his old slaves at any price, to rid himself of the expensive burden of supporting them to the end of their days. It was customary to expose slaves who were sick and useless to perish miserably on an island of the Tiber. They were frequently employed in chains at the most laborious drudgery; and for trivial offences, and even on mere suspicion, were sometimes put to death under the most horrid tortures.

This terrific picture, which has no counterpart in modern society, might be enlarged without exaggeration. The slavery of our factory system, a complaint so justly urged at the present moment, is almost perfect freedom compared with that of the slave in pagan times. They were commodities for traffic and barter in the market-place, where they were exhibited for sale, and trotted out in the same manner as a jockey shows off the paces of his horse to the best advantage. They varied in price from ten to twenty pounds sterling and upwards. Plato, who was captured by pirates, was ransomed for about £112 of our money. Diogenes, who experienced the same misfortune, remained in bondage, and endeavoured to teach his master's children the meaning of happiness and

virtue. Tacitus mentions 400 slaves who were put to death for not having prevented the assassination of their master. Caius Cassius pronounced an oration on the occasion, reported at length by the historian, in support of the motion for inflicting the penalty of death on these unfortunate creatures, and in opposition to those who pleaded their ignorance as an excuse—*plurimorum indubiam innocentiam miserantium*. This severe decision of the senate gave rise to a tumult, and Tacitus coolly remarks, that Cæsar was forced to line the way with troops as the condemned multitude of every age and sex were led to the place of execution. We can scarcely credit our senses at this recital, more especially when it is coupled with a piece of intelligence, like that of a newspaper report, that upon the house dividing on the question, the senators were found nearly unanimous in favour of carrying out the extreme penalty of the law—*nemo unus contra ire ausus est—prevahuit tamen pars quæ supplicium decernebat*. But life was estimated at a cheap rate in those times; for persons of property disposed of their slaves in the same manner as people of wealth now do of their farming stock, &c., on the sale of their estates; and Pliny, in his Natural History, quoted by Gibbon, mentions the instance of a freedman, in the reign of Augustus, who, although he had suffered great losses in the civil wars, yet left behind him 4116 slaves, included in the description of his *other* cattle, which were very numerous. It is only when viewed in this most humiliating light, that we are enabled to see the utterly abject condition of this ignominious class of—*animals*, shall we call them? or *men*, or *fellow-creatures*?—or to appreciate at its inestimable value the divine magnanimity of one who came to emancipate or redeem them *all* by willingly assuming the form of a slave—*formam servi accipiens*. This was the practical drift and aim of St. Paul's letter in supplication for Onesimus, a run-away slave, liable to death on that account, had he been caught and brought back to his owner. Ecclesiastical history records, that Philemon, to whom the apostle had written on this delicate subject, pardoned and emancipated his disobedient domestic, and that Onesimus made so much progress in religion as to merit the episcopacy of Ephesus after Timothy. This elevation and distinction must have been very galling to the aristocratic pride of the Gentiles, who never deigned to treat a freedman much better than they were in the habit of treating their vile slaves;—*servile vulgus fuère*, are the words of Justin.

We may here pause, and inquire what was the mental effect of such a state of things on the masses of mankind?—in short, what was the psychology of so many ages in this respect? Nothing but the darkest passions could be engendered by an unmitigated tyranny of this awful kind. The first effect of contumely and scorn, apart from the irritation excited by personal restraint, is, upon a generous nature, the most

bitter feeling of desolation and woe. Were not the heart made to pulsate safely with contrary emotions, this feeling is so deadly and intense, that there is no doubt it would, if long continued, wither the brain and destroy life. In the finest spirits, indeed, such is the case, as we learn from the calamities that every now and then take place within the range of our own observations; nor are the tales of madness and death in consequence of unrequited love, or unmerited contempt and desertion by those whom we esteem, and from whose countenance we expect to derive both sympathy and support, to be discarded as nursery rhymes and childish gossip. Unhappily, *we* know that very often they are but too real and too true. The admirable manner in which we are all united in one great family on earth, is the reason why we cannot sever a single link from the chain that binds us, without inflicting some serious injury in the attempt.

The natural independence of man rebukes him for yielding to useless regrets. Dashing away the tear that moistens his eye, and hiding the blush that mantles on his cheek, he smites his breast; and, glancing up to heaven for help, he buckles on the burden of his pack, and betakes him doggedly to his hateful toil. Revenge is the cherished passion of his breast—deep, settled, determined revenge. Selfishness springs from the instant necessity of self-preservation—profound selfishness, unsatiated self-love. Covetousness, that dismal vice, swells the veins, together with hatred, and obstinacy, and the spirit of insurrection, and desperate struggles to escape. Behold the fiend formed by public or private tyranny—the once noble-minded man transmuted, by an accredited system of penal enactments, into a conspirator, an outcast, a villain, and a slave! Do you want an example in proof of this allegation? Read the biography of the dastard Eutropius, the prime minister of the Emperor Arcadius, a slave of the lowest description, a fellow of an infamous character, purchased by an officer of the imperial guard, emancipated, and introduced into the palace, where, by cunning and hypocrisy, he contrived to gain the esteem of the great Theodosius. Abandoned by his friends, if ever he had any, and protected from the fury of the populace by St. Chrysostom, whose destruction he had already planned, he was banished, and at last beheaded. He was the personification of that pitiable form of humanity engendered by a heartless social system. The eunuch Narses, who, to suit his own purposes, re-conquered and betrayed Italy, in the reign of Justinian, was a prince in action compared with the despicable Eutropius. The bloody insurrection of 4000 slaves, under Herdonius, which struck terror into every family in Rome, is another instance of the dire malignity fomented by unrelenting oppression; and the revolt of Spartacus was so formidable and resolute, that its suppression demanded the pre-

sence of one of the ablest generals, and the valour of some of the choicest legions.*

It was a political difficulty which every legislator grappled with, but in vain. Emancipation would have overthrown the world, as, in effect, it did overthrow it, when the barbarians from the north enforced it. Plato regarded the slave as one deprived of half his mind. Homer was of the same opinion. Aristotle thought still more meanly of them.† Tacitus implies that they were entirely untrustworthy, which in one sense was certainly true. They were the subject of constant legislation; and laws, protective and coercive, were enacted to secure the master against his slave, and the slave against his owner. Lacedæmon, by vigorous measures, drove them to revolt. Athens, on the contrary, by gentler methods, made them insolent. As the Roman empire became matured, their condition was ameliorated. The youths of a promising character were instructed in the arts and sciences, and their price was ascertained by the degree of their skill and talent. Almost every profession, either liberal or mechanical, might be found in the household of an opulent senator. Many of the Roman physicians were slaves. Athenæus, quoted by Gibbon, asserts that some ostentatious Romans possessed as many as ten or twenty thousand slaves. A learned one sold for many hundred pounds sterling; and Atticus always bred and taught them himself. It was a freedman that preserved and edited Cicero's Letters. But under their most advantageous circumstances they were still in bondage.

If, however, the slave laboured under many evils almost intolerable, he enjoyed, on the other hand, many benefits which preponderated greatly in his favour. We do not read of mental alienation as one of

* The fierce Mamelukes were originally Tartar slaves, serving as the guards of the Ayoubite sultans. *Mamelus*, or *mameluks*, means *purchased*. They broke loose while King Louis of France was a captive in Egypt.

† Pope, the poet, has diluted Homer's vigour in the following lines:—

For any office could the slave be good,
To cleanse the fold, or help the kids to food,
If any labour those big joints could learn,
Some whey, to wash his bowels, he might earn.
To cringe, to whine, his idle hands to spread,
Is all, by which that graceless maw is fed.
Yet hear me! if thy impudence but dare
Approach yon walls, I prophesy thy fare:
Dearly, full dearly, shalt thou buy thy bread
With many a footstool thundering at thy head.—*Odys.* 17.

Jove fixed it certain, that whatever day
Makes man a slave *takes half* his mind away.—*Ibid.* ii.

Plato, in *The Laws*, dial. vi., says, "Nothing in the soul of a slave is in a healthy condition." Aristotle, in his *Government* (l. i., c. 5.), agrees with Plato in advising a mixture of slaves from all countries.

the misfortunes incidental to their lot. Their occasional outbreaks were, in general, well conceived ; nor do they betray any deficiency of intellect, moral courage, and foresight. Servitude is the surest discipline there is for preserving the senses against the seductions of folly. The round of daily duties, the routine of a family, the impropriety of giving vent to private feelings, or of divulging personal views and plans, do, for the most part, restrain the servant within his appointed sphere of action and capacity. His duties may curtail the dangerous sentiments of ambition and honour ; but they impose the necessity of self-control, and establish the more solid virtues of prudence, integrity, and reserve, instead. It is easier to be governed than to govern ; and, fortunately for the peace of mankind, the governing minds are really so few, that the multitudes cheerfully consent to obey, simply because they feel themselves to be too feeble to command.

Having sketched out the mental condition of the inferior class of the pagan world, let us raise our eyes, and examine the psychology of the higher. There was no middle class, such as we have at the present day, comprising the chief talent, wealth, and independence of society. At least, such a class was not only not numerous, but so exceedingly rare, that it scarcely ever appears on the surface. The *studio recolens* belonged to Elysium, or the schools ; and the *recubans sub tegmine fagi* was nothing more than an elegant poetic ideal. The eulogies bestowed by Horace on his Sabine farm, and his delightful descriptions of rural retirement compared with the noise and smoke and bustle of the great metropolis (*fumum et opes strepitumque Romæ*), which was a singular virtue in him, are, among us, the leading propensities and the common habits of a great many persons. We have no account of *independent* folks leading a quiet life in the bosom of their families, or in modest seclusion by themselves—apart from grandeur, above want, and content with moderate means. This is a social phenomenon in the psychology of our age which we cannot value at its full worth, until we look back and analyse the “*family*” of that distant period. It was high and mighty, or it was—*nothing*. When Julius Atticus laid the immense fortune that he had accidentally discovered beneath an old family house, at the feet of the equitable Nerva, he professed to the emperor that it was too considerable for a subject, and that he knew not how to use it. “*Abuse it, then,*” was the laconic, if not the peevish, reply of the good-natured monarch. His son, Herodes Atticus, was an instance of the prodigious wealth of the upper class. Among other magnificent works, he constructed a stadium, six hundred feet long, at Athens, built entirely of white marble, capable of admitting the whole body of the people, and finished in four years. Horace, in an ode (*non obur neque aureum*), condemns the luxury and avarice of his

countrymen, and tartly remarks, that regardless of death they built for eternity, and by their solid piers provoked the ocean as if it were never tempestuous. The stupendous bridge of Alcantara was thrown over the Tagus by a *few* Lusitanian communities. The senators of Rome and the provinces vied with each other in adorning their age and country. The golden palace of Nero, the baths of Dioclesian, and the forum of Trajan, are known to every one. But, be it remembered, all these sumptuous edifices were raised by the hands of the slaves.

There must have been some moral peculiarity in the constitution of those times, which would account for this positive division of every population on earth into the two widely separated classes of the abject slave and the overbearing man of wealth. One thing strikes us in our retrospect, which is, that polytheism nowhere existed apart from slavery. Orientals, as well as Greeks, entertained the theory of the right divine of one class over another; that some were by nature slaves, while others were kings, nobles, warriors, philosophers, &c., by birth. It was a pagan dogma inherent in their religion. Among the gods there were slaves: the Titans, the Cyclops, the Telchines, whom Jupiter destroyed by a deluge, and the obscene Cabiri of Phœnicia, who were a sort of celestial blacksmiths employed in furbishing up the metals for Vulcan, and repairing the waste and wear of the visible universe. It was the prevailing idea of paganism—an article of faith in their creed. Consequently, the slave had no ground in common for parley with the hearts of men already entrenched behind the hostile habits and concurrent attestations of antiquity. It was a state of things as old as mankind, and, moreover, rendered unassailable by precepts of supernal authority. The gods set the example. There were slaves above—*à fortiori*, there ought to be slaves below. The Cyclops in hell, and the rower who toiled at the oar along the Tiber, the Euphrates, or the Nile, were equally slaves, the only difference between them being the mythological mortality and immortality of the one and the other. It was an idea gross in the extreme, but so inveterately embodied and imbruted in the order of things, as they then were, that nothing but a divine interposition (the Gospel), or a political convulsion (the Goths), could ever have effected a permanent change in the minds of men. It was one of those rare dilemmas, to which the aphorism of the critic was exactly applicable: *Nec Deus intersit, nisi dignus vindice nodus inciderit*.

Besides this universal sentiment, there was a particular reason of state, by which the ancient governments were actuated in their policy—it was that of terror. The multitudes were governed by fear, and fear was represented by their lictors, cohorts, legions, armed triremes, the Macedonian phalanx, and the golden invincibles or body-guard of the Persian

monarchs. In matters of superstition, likewise, *Pallor* and *Pavor* were as old as Hostilius. A sacred horror was made to thrill throughout the nerves. In the ancient bas-reliefs, this dreadful visage may still be seen, sculptured with staring eyes, mouth aghast, and hair on end—the vulgar phantom of a pantomime, in the present day. There were augurs attached to the army; and the general who formally inspected the reeking entrails of the victim just slaughtered for sacrifice, or watched the accidental flight of birds to the left hand instead of to the right, prudently shuddered at the presage of a sinister omen on the morning of a pitched battle. It was a crainitive timidity of this sort that congealed the blood in the veins of the plebeian crowd, in the very heart of the greatest city of the old world, replete with its mysterious traditions, from the wolf that suckled Romulus down to the handful of thunderbolts grasped by the terrible Capitoline Jove. It has been acutely remarked, that the reign of the gods *Pavor* and *Pallor*, was the golden age of the Roman aristocracy. The proletarii dared not face the divine patricians.

Imperial Rome may be regarded as the culminating point of ancient manners. In it paganism had reached the utmost length of its projectile force, and the extreme verge of its durability. It could not accomplish anything further. It had reduced itself to a *caput mortuum* by an analytic exhaustion of the first principles of its existence. It sublimed itself within its own crucible, and remained fixed and impenetrable in that exalted position. Consequently, it is at this point of time that we are enabled to make out the psychological phenomena of paganism at the highest degree of its intensity.

In subduing the nations of the world to the beck of her iron sway, Rome invariably exerted her power in fostering slavery as the chief ingredient of her strength, under the semblance of conferring the most distinguished honours on the vanquished. The first thing she did was to enslave the gods of the conquered people, to make them her own, and to bring them captive into Italy. There was some hidden superstition, besides political craft, mixed up with this adroit proceeding; for her most gifted statesmen seem to have had an instinctive fear towards those idols of which they knew the least. Their religion betrayed its shallowness on most great occasions. The new gods were imported into the capitol; the new people followed their gods thither; they were incorporated with those of the city; and they became the slaves of Rome, or purchased their freedom at an immense cost. *Vise Romam ire, Juno*!—to which, of course, the goddess answered in the affirmative by the monosyllable *Volo*—(*vocem quoque dicentis, Volo, audiam*). Such was the colloquy (serious or jocular, *spiritu divino, seu juvenalé joco*) reported by Livy when the city of the Veii was besieged and

taken by the dictator Camillus; and such was the solemn farce performed by every consul, in every quarter of the globe, before bestowing on some unfortunate set of men the unenviable title of Roman citizens.

It was the same with the pagan philosophy. Each philosopher was a petty tyrant at the head of his own narrow sect; the disciples were, during their pupilage, the slaves of their several masters; and the external world, consisting of nothing but the actual slaves of the state, was beyond the pale of civilization, instruction, sympathy, and inter-communion of thought. Intelligence was respectably lodged within the portico of the academy, the courts of law, the private mansion, and the palatial residence. The fashionable philosophy of the day strove to render itself an autocrat, and, with the egotism proper to pedantry, voted unscrupulously in favour of its own supremacy. There was no compensating force, such as the public press, or an acknowledged standard of moral rectitude, ever ready and eager to correct its erratic tendencies, to reduce it to its just proportions, and to restrain it within the circle of its proper centripetal progression. Moreover, a false quietism was the essence of each philosophic sect—sceptics, stoics, epicureans, &c., all tended to this end, which was one of ideal repose apart from the herd of men, and unconcerned in, if not indifferent to, the contests, the passions, the well-being, and the practical affairs of those around them. It was in philosophy what the statues of Phidias were in marble—a sublime immutability—a fascinating nonentity—an unreal mockery, a mental phenomenon by no means uncommon as a symptom of mania—a fixed immovable idea, incapacitating its helpless possessor for taking part in the ever-moving business of the world. Towards this kind of artificial repose the pagan philosophy tended, and it was attained by some of its most earnest followers. We behold it in its highest development in the ancient gymnosophists—the modern fakirs of India.* But it was this vicious aim and drift that ruined or neutralized its effects; for it proved itself an impracticability among the servile class, and nothing better than a barren idea in the saloons of the great, upon the couches of the luxurious, within the cabinet of the statesman, or during the service of an active campaign. It was an exotic that perished in the open air. It passed away with its professors. It propounded no scheme of education; enlightened no

* The apparently incredible things the Greeks related more than two thousand years ago, respecting the recluses of India, or *Gymnosophists*, as they called those Yogis, are found to exist even at the present day; and ocular experience has fully corroborated the truth of their narratives. There is no high conception in this department of metaphysics unknown to the Hindoos. This absorption of all thought and of all consciousness in God—this solitary, enduring feeling of internal and eternal union with the Deity, they have carried to a pitch and extreme that may almost be called a moral and intellectual self-annihilation. It is the same philosophy as that which among us has received the name of *mysticism*.—F. Schlegel.

popular ignorance. It dazzled a few wits with its vain pretensions; deserted its disciples in the moment of death or peril; and retired to the voluminous libraries of the learned, where it still continues to slumber in the venerable dust of ages.

The spirit of the pagan world was, in truth, the spirit of destruction. In building up the last great empire of the earth, they destroyed everything they met with. Life and death was nothing in their hands. But, as it were by a sort of judicial blindness, they did not perceive, that, in amalgamating so many diverse nations into one great dominion, they had not amalgamated, nor subdued, nor destroyed the souls of men. Practical materialists in action, they confounded the supernatural soul of man with the fortifications, the palaces, the fields, the mountains, and the rivers, in the midst of which he dwells. Real and uncompromising tyrants, they fancied that, in rivetting the chains of slavery around their conquered hosts, they had bound up their free wills in the fetters together with their limbs. They could not understand that a *senatus consultum* and an armed force might coerce, for a time, but never could change the affections of an injured multitude; and even the victorious Scipio started with fear or surprise, when, on his return to Rome, he met in the forum some of those whom he thought he had already extirpated by the edge of the sword in Africa. If this story be authentic, his sagacity was correct. But without the help of an anecdote, it is apparent, that *tot gentes externæ, tam sevæ*, or, at all events, those who survived *extra terminos* became, in subsequent centuries, the bitterest and most successful foes of the empire. Marcus Aurelius well-nigh perished with all his army, in an awkward military position by far too much advanced among the Germans, who were never subdued; and Augustus Cæsar once sent some legions into the depths of Arabia Deserta, where they must have been swallowed up in the sands and lost, since they never came back.

When Heliogabalus, at the height of his folly, wished to be adored as the sun, he only expressed aloud, perhaps imprudently, the secret sentiments of that political egotism which had actuated the councils of the empire, the republic, the senate, the camp, the consuls, and the kings of Rome, from the days of Numa Pompilius down to those of Honorius, the last of the Cæsars, who ended his puerile days along with his chickens within the fortress of Ravenna. As the republic came to a close, a new principle (*magnus ab integro sæclorum nascitur ordo*) insinuated itself with great subtilty into the operations of the only government on earth. The Cæsars, however abandoned they might be in their private morals, were not unfrequently high-minded in their official capacities. We find them checking the patrician barbarities, so cuttingly pointed out by Tacitus. It was by their edicts, the freedman,

the miner, and the slave, obtained several privileges. Octavius protected the female,—Tiberius restrained usury. Nero, according to Suetonius, proposed gratuitous justice, and Tacitus intimates that he thought of abolishing the imposts.* The cruel Domitian, and the imbecile Claudius, vindicated both the freedom and life of the slave, and others. Hadrian, Commodus, and Alexander, protected them from personal injury and insult; and Caracalla reiterated, under his sign manual, that no one might take away that which he could never restore; and condemned perpetual bondage. He surpasses the Gracchi in his notions of equality among all *in orbe Romano qui sunt*. And Constantine made a law, by which not even sixty years' service could deprive an innocent person of his liberty. For once, in the course of ages, Paganism and the Gospel kissed each other—*venturo lætentur ut omnia sæclo*.†

Such was the gradual advance of the human mind towards better and fairer prospects. We might have presumed that its progress would have been uninterrupted, and that in another lustrum of centuries, or more, mankind would have arrived at comparative perfection and peace. But such a happy issue of events was not in the order of Providence. A deep moral evil had sapped the life of the pagan world. It could not, under the most advantageous circumstances, remodel and reform itself. In the attempt, it loosened the foundations of the state, and the aged fabric instantly tottered above their heads, fell, and buried everything beneath its ruins. Julian, Symmachus, and Zosimus, all of them pagans of the old school, had clearly foreseen and predicted the impending catastrophe. They made a last effort to prop up and secure the decayed constitution; and they succeeded for a while. Their insight was clear and penetrating; but a change had passed across the spirit of the times. The world was moving rapidly forwards; while they stood still. It passed beyond them, and they perished in its rear. Paganism died a natural death, and it was impossible to resuscitate its empty remains.

We do not know the meaning of the word psychology, if it do not embrace that of epochs as well as of individuals. In the preceding

* We have availed ourselves of the ingenious and interesting work by E. Quinet, *Le Génie des Religions*, Paris, 1851. We have not been able to verify all the references. The title does not designate the work.

† Slavery continued in force until after the Crusades, which effected such a total change in the habits, morals, politics, and prospects of the great European family. These singular campaigns, or rather flights of chivalry, were the turning point in the process of modern civilization. But for them, we should have been Mahometans, instead of Christians, at the present moment; the female character would never have obtained its proper dignity, independence, and respect; and the feudal seigneur would still have disdained to share his mess of pottage with the serf. In 1135, Lothard II. had already designated, at Mayence, the *familia*, or nobles, the *liberi*, or *francs-bourgeois*, and the *sièges opifices*, or *bourgeois-artisans*. This was a great step forward in the right direction.

pages, we have recounted succinctly the psychological phenomena of one of the most eventful periods of history. If ever there was a point of time when the accumulated experience of ages, converging in so many different radii, met, and centred itself in one single focus of power, wealth, and affluence, it was surely then. The Augustan period is the proverb of literature. The sceptre of its government is synonymous with unfailing precision and success. Its extent was co-equal with the known geography of the globe—*usque ad terminos orbis terrarum*; and it derived every benefit of arts, arms, letters, philosophy, architecture, and science, from Athens, Memphis, Ecbatana, Babylon, and Jerusalem, its conquered tributaries. With one fatal exception,—that people died there the same as elsewhere,—everything prospered at Rome.* It was all that could be achieved on earth, fifteen centuries ago; and yet this invincible, sublime, ideal ALL was shivered at a blow by the battle-axe of a barbarian; the scene was shifted; the old world passed away, and the middle ages began. The mental constitution, or the psychology, of this interesting era, it has been our endeavour to portray, and the lesson that may be learnt from it, we leave to the taste and good feelings of the ingenuous reader.

ART. III.—NERVOUS INFLUENCE.†

THIS is a remarkable book. An English work on Psychology, printed in Paris in 1836, and written by an English lady, is not likely to attract attention in 1852, unless it has considerable merit; and we confess we took it up from the table of a friend who knew and valued the authoress with that amount of scepticism as to its merits with which those who are trained to any calling are apt to view the productions of amateurs, and in addition with that doubt as to the probability of a lady treating physiological questions with any other foundation than the uncertain one of a knowledge of words and not of things. A hasty glance at a few pages induced us to borrow it, and a *second* perusal of the whole volume (the best compliment a reader can pay a writer) was the preparation for this review. That a book with such a title, without the name of the writer,

* This remark was made by a Persian ambassador to one of the emperors during a procession through the streets of Rome. But we have mislaid our reference, and forget both the names and date. It is mentioned in Winstanley; *Eccles. and Civil History of the First Three Centuries*, vols. ii. London: 1846. A clever compendium, without an index.

† Enquiry into the Nature and Effects of the Nervous Influence, and its connexion with the Vital, Moral, and Intellectual Operations. By Mrs. Carleton. Galignani, Paris. Baillière, London. 8vo. pp. 238.

printed in Paris, and not advertised in this country, should have remained unknown for a long period, is to be expected; but we have no such superabundant supply of sound, well-considered, and original thought, in the present day, to justify our still neglecting it; and we are simply doing justice to its gifted authoress, and a real service to those of our medical brethren who take some delight in psychology, by informing them of its existence. After reading it, few will (we believe) deny that among the able professional writers of the day, there are many who can put their contemplations on man's mind and its connexion with bodily states, in clearer, simpler, fuller, choicer language; who can clothe their thoughts in a purer or more graceful style: most professional writers have a larger amount of acquired knowledge, and a more extended acquaintance with the whole subject, owing to the care with which physiological facts have recently been both accumulated and diffused; but few bring to their materials the power of a more deeply contemplative mind, or show higher ability to think for themselves. There are certain defects of scientific form which many could gloss with more circumlocution; but those who judge a book by its merits and not by its defects, and who know the difficulty of the subject, will, we are sure, pass but one judgment upon it. From the book having been printed in Paris the errata are numerous, and a mistake has been made in placing as heads of divisions what were intended to be marginal notes of the subjects, but essentially there is much order and clearness of arrangement. The first part contains a theory of nervous and vital actions, which, considering it was the work of a woman, and was written many years previously to the date of publication, and that was sixteen years ago, shows the writer to have approached very nearly to those views which sound thinkers are now adopting, and to be gifted with insight into deep physiological principles; an insight which, had it been trained by experiment, would have probably produced an original physiological discoverer. The writer candidly brings these views forward merely as opinions which may eventually be proved to be correct by experiment. Her theory is a bold, a large, and an ingenious one, and we take it to be this: That the nervous power is analogous to the electric power, and that this nervous power as well as the other vital powers are kept in action by a constantly acting external stimulus, which is electricity; that it is the electricity, combined with the oxygen gas we breathe, as well as the uncombined electricity in the air, which is the effective vital stimulus; and that animal heat is an electrical operation also, because it is a chemical one; for all chemical changes (according to Sir H. Davy) are owing to the union of opposite electricities. This was written, we believe, nearly thirty years ago, and we will compare it with the view to which those physiologists have

arrived who are conversant with modern physical discovery, as well as with physiological science. Faraday has proved the truth of Davy's hypothesis, that galvanic action is merely chemical action, acting in a continuous line returning into itself, instead of between particles at insensible distances. He has proved experimentally that galvanism and electricity are one and the same thing. Now, if chemical action will produce galvanism, galvanism, as is well known, will produce heat, light, magnetism, motion, and chemical decomposition; and, what is more curious, either of these in its turn will produce all the rest. Professor Grove, who has most ably theorized as well as experimented on this subject, regards all these forces as correlated, or having the relation of mutual dependence.

If, then, chemical action is thus convertible into galvanism, magnetism, heat, light, and motion, there is no difficulty in conceiving that in the body it is convertible into vital actions, and that the various vital forces are mutually dependent on the physical forces, as these are dependent on each other. Dr. Carpenter has ably followed out Professor Grove's theory, and has shown that the vital forces are convertible into the physical forces, as these are into the vital. By this theory it is not affirmed that the vital forces are the same as the physical, but that they are correlatives, or virtually dependent. As electricity is convertible into magnetism, but is not magnetism, so chemical action may be converted into nervous action, but is not nervous action. It is clear, therefore, that there is no discrepancy, but a remarkable agreement, between the theory of our authoress and the present doctrine. In both, the vital actions, and especially heat, are regarded as the sequence of chemical actions, and these chemical actions are electrical phenomena.

There are two points in this theory well worthy a strict experimental investigation, and these are, the influence of the uncombined electricity in the air we breathe on the body, and also the effects in health and disease of that magnetic atmosphere in which we live. The following observations on this latter subject are suggestive:—

“I am inclined to think that the various nervous states of the body at different periods of the twenty-four hours, are connected with the variations in the magnetic force of the earth at such times. It has been ascertained by Professor Hanstein, that the magnetic intensity of the earth is subject to a diurnal variation, decreasing from day-break till ten or eleven o'clock A.M., when it reaches its *minimum*, and from thence it increases until it reaches its *maximum*, about three o'clock A.M.

“Now I have observed that morbid affections which arise from *too great* an irritability in the system, as catarrh, fever, &c., increase in violence towards the time that this magnetism is rising to its maximum,

and this period being passed, viz., three o'clock A.M., sleep and perspiration will succeed to the heat and restlessness of the first part of the night. I have also observed that in some complaints arising from languor and a *deficiency* of nervous action, the distressing feelings produced by it have been most apparent when the magnetism was at its minimum, and that the strength and spirits have risen when it was advancing to its maximum, after which the inclination to drowsiness has returned. These facts I have noticed in some very marked cases for months together. The increased rapidity of the circulation and development of heat towards evening, cannot, I should think, be attributable to the state of the digestive organs after a full or late meal, for it takes place independently of this circumstance, both in the healthy and feverish state, and in the latter, the little nourishment which is taken is frequently no greater in quantity at one period of the day than the other."

The second part treats of the connexion of the nervous influence with the mental operations. At a time when materialism was the fashion, our authoress, whilst recognising that the material part of our nature is indispensable in this state of existence to the performance of the mental functions, clearly distinguishes the two principles:

"One, dignified in its nature, unknown in its essence, characterized by the three general powers of *feeling, willing, and understanding*: the other subservient to the former, constituting the materials upon which it acts, and the tools by which it operates, and possessing at the same time the capability of acting upon and influencing it to a certain degree."

The emotions, feelings, passions, all that is commonly termed the heart, being that part of woman's nature which is most highly developed, is, as might be expected, ably treated. The feelings include the most material as well as the most spiritual part. They are, as a whole, most intimately connected with the body; more evidently so to the consciousness than the intellectual faculties. Mrs. Carleton distinguishes clearly the physical and moral sensations, the physical being the action of the nerves of sensation from without inwards, excited by external stimuli; the moral sensations being similar nervous actions called out by ideas of the mind. But why—and what physiologist has not often asked himself this question—why are those feelings, emotions, passions, which are included in the term moral sensations, located commonly in the heart? Even our harder, less impressible sex occasionally feel, or have felt, that emotions call out sensations in the left side of the chest, that we can localize them there with even more certainty than we can fix the seat of thought in our foreheads. From watching in herself these feelings, Mrs. Carleton, with much ingenuity, and, we think, truth, refers the sensation to the *par vagum*. The conscious feeling, the distribution of that nerve coming directly from the brain, and the effect of these

emotions on the voice, heart, and stomach, render it very probable that it is the channel by which those thoughts which call out emotions and passions affect the vital organs of animal life, and explain why these feelings are popularly referred, not to the head, in which they undoubtedly originate, but to the heart. Mrs. Carleton describes a form of nervous disease which simulates successively an affection of the lungs, of the heart, and of the stomach, and which is attended with a potent effect on the feelings, irascibility, agitation, melancholy, anxiety, arousing passions which do not belong to the character, and which she refers to an excited state of this nerve in those of ardent temperament; whilst in the phlegmatic and hypochondriacs, the habitual melancholy is considered to be owing to a deficient excitability of the same nerve. We direct attention to a lengthened description of this affection, as it is evidently drawn from close (and probably self) observation, and on this account valuable, though the seat may not be admitted.

It is the third part, which is devoted to the effect of nervous influence upon the moral and intellectual character, where Mrs. Carleton is most at home, and which would have probably commanded much attention had it been addressed to the general public. Throughout, the close union of the nervous system and the mind is insisted on without any approach to materialism, and this union and the varieties in power of the two principles in different individuals are made the foundation for the distinction of temperaments.

Mrs. Carleton recognises an original mental as well as physical constitution; but, as in every mental operation two powers must combine, one physical and the other intellectual, the difference in the strength of these powers in themselves and relatively, is one source of variety of character, and in this difference she founds the distinction of temperaments. Her views on this subject are evidently founded on original observation and are true to nature. We do not say that they include all varieties of temperament, but they describe accurately four varieties of the nervous temperament.

"The strength or feebleness of the nervous action produces two temperaments, which I shall distinguish by the appellation of the ardent and the phlegmatic: each of the temperaments may be united to a strong or a feeble *intellectual power*, and these four combinations, with the several gradations from one extreme to the other, form the varieties of the natural mental constitution."

" ARDENT TEMPERAMENT.

"An energetic nervous action (which I am inclined to attribute to an abundant secretion of the nervous fluid,) produces a rapid circulation of the blood, a quick evolution of animal heat, with some tendency to inflammatory diseases, a certain degree of muscular power (independently

of the strength or weakness of the muscular *fibre*), and a sensibility of the nerves, which gives vehemence to the feelings, warmth to the temper, and quickness and acuteness to the senses."

"PHLEGMATIC TEMPERAMENT.

"The slow nervous action is shown by a tranquil circulation, a low temperature of the blood, a moderate portion of physical strength, an absence of irritability in the nerves, and consequently in the temper."*

"COMBINATIONS OF THE PHYSICAL CONSTITUTION.

"The ardent temperament may be united, first, to a firm muscular fibre; and secondly, to a lax muscular fibre; and the phlegmatic temperament may also be combined with a strong or weak muscular system. Of all the constitutions, the ardent temperament combined with the lax muscular fibre is the most irritable: its physical strength is entirely derived from the vigour of the nervous action, and this is often irregularly distributed, and subjects the frame to various morbid affections, particularly of the nervous kind: the sensations are acute, and the mind partakes of the sensibility of the body, and is very liable to a morbid degree of irritability. The ardent temperament combined with a firm fibre, exhibits the greatest degree of physical strength: the constitution is vigorous, but liable to inflammatory diseases. The phlegmatic constitution united to a lax fibre exhibits the greatest deficiency of physical strength, but it does not seem particularly liable to disease until the strength is reduced below its natural standard by external circumstances: the nerves are not irritable, consequently the sensations are not acute, and the mind is usually placid. The phlegmatic temperament united to the firm fibre is the most desirable of all constitutions, as it gives the advantage of strength, without irritability: an athletic form, robust health, and an even temper are its usual concomitants."

"CLASSIFICATION.

"In enumerating the various combinations of the mental and physical qualifications with the two temperaments, I shall class them under the four following heads: 1st, the strong intellect combined with the ardent temperament; 2nd, the same united to the phlegmatic temperament; 3rd, the weak intellect combined with the ardent temperament; 4th, the same united to the phlegmatic."

Ardent temperament with weak intellect may deceive, from the quickness and facility of the nervous operations, but "the test of a good understanding is the reasoning faculty;" and the distinguishing characteristic of this temperament is "a *natural* want of judgment."

* "The richer the blood is in red globules, the stronger is the vital power, and the power of producing heat in the system. In the temperaments which physicians call *lymphatic*, in opposition to *sanguine*, and which I call phlegmatic, on account of its influence on the temper, the blood contains fewer of the globules which give it colour. It is more cold and watery, hence probably results the fairness of hair and skin, which is the usual external token of this temperament."

"Of all mental constitutions that which unites *weakness* in the immaterial principle, and *strength* in the nervous action, is the least calculated for its own happiness, or that of others; for it is subject to the greatest excess and variety of painful sensations, both mentally and bodily, with the fewest means of defence, that is, with the smallest share of firmness to control the one, and of patience to allay the other. The mutability of the human feelings, also, is particularly manifested in this character. Steadiness depends more upon the regulating power of the immaterial principle, than upon the nature of the feelings themselves—if the impulse of the present moment is habitually obeyed without reference to a settled line of conduct, no dependence can be placed upon the principles or affections, changeable in their direction as the waves of the watery element; without solidity, without a fixed foundation, the affections of a weak mind are at the mercy of every gale that blows: if the tide turns, it flows perhaps as strongly in an opposite direction, and the bitterest hatred succeeds the tenderest love. In short, instability is the characteristic of *mere* feeling. Maternal love alone forms an exception: *this* lies imperturbable in the hidden depths of the human heart, beyond the reach of the warring elements that disturb the surface.

"The errors which result from the weakness of the mind may be traced—1st, to an incapability of taking a general and extended view of things; 2nd, to a liability to be deceived by external appearances; 3rd, to a limited power of acquiring knowledge and of applying judiciously what is acquired. Those which are the consequences of immoderate activity in the sensitive department are to be traced, 1st, to hastiness of decision; 2nd, to the formation of strong prejudices; 3rd, to the habit of judging of the feelings of others by our own. Knowledge and experience are indispensable to an individual of this temper, so liable to err, so often blind to his own failings, and so exquisitely susceptible of suffering from their evil consequences."

In the ardent temperament with strong intellect, is found the highest intellectual perfection, "for both the material and immaterial parts contribute to the production of the talents." As, however, the feelings are also powerful, moral perfection, though not incompatible, is not a natural attendant. Great vices exist here as well as great virtues. To such a mind, sound religious principle is indispensable. We have not space to quote the admirable sketch of the good and evil qualities of this temperament, or of its intellectual characteristics.

In the phlegmatic temperament there is a nervous system without much activity, so that the share of talent depends on the active power of the intellect, for it obtains little or no assistance from the nervous energy.

"A deficiency of intellect in the phlegmatic temperament must therefore produce absolute stupidity. The first gradation above stupidity displays a plain, straightforward understanding, entirely destitute of imagination: this forms the class of the *ennuyants*. The next degree shows good sense, with a quicker perception, and a more lively imagination;

but still the operations of the intellect are slow, and performed with difficulty, owing to the sluggishness of the brain, and the weakness of the memory. As we advance, the feebleness of the mechanical action is compensated by the increase of intellectual power: its highest degree of perfection shows a clear understanding, a sound judgment, an acute discernment, strong powers of reasoning, and a mind vast and comprehensive, noble and elevated. Here the habit of methodising and analysing assists the memory; the systematic arrangement of the ideas aids the reasoning faculty; the absence of passion gives correctness to the judgment; and the coolness and deliberation with which all the mental operations are performed give clearness to the discernment. Nevertheless the brilliancy of talent displayed in the ardent temperament cannot be attained in the phlegmatic; for, supposing the powers of the intellect to be equal, the latter must always lack the fire and energy which give force and rapidity to the operations of the former."

This sketch is worked out fully and with great ability; we find so great a difficulty of selection, and so impossible to condense or abridge, that we must refer our readers to the book itself.

It may be of interest to our bachelor readers to know that so good an observer warns them if they "value a peaceful life, not to select a short woman, with black hair and a strong fist," but that the phlegmatic temperament, the blue eye, light hair, round limbs, slender shape, and fair complexion, give a man a better chance of a quiet life.

As the ardent temperament is marked by *quickness*, and the phlegmatic by *dulness* in the talents, so they are distinguished by *warmth* and *coldness* in the feelings. And as in the phlegmatic the feelings are most under restraint, the most *faultless* characters belong to it; but still Mrs. Carleton considers the balance of evil belongs to the phlegmatic, as their errors are less excusable, and are derived from a worse origin—selfishness; "and from this foul source proceed the most evil feelings of which our nature is susceptible." The examination of selfishness and the sketch of a purely selfish character, are drawn with a power of mental dissection and demonstration only attained by those who ponder on the evil in their own hearts, and reflect on the excesses to which, if unrestrained, it might lead. The following definition of *sensibility* strikes us as excellent and true:—

"It is, I apprehend, the combination of a quality of the mind, and a peculiarity of the nervous constitution. When a benevolent turn of mind is united to a strong nervous susceptibility, it constitutes genuine sensibility. Benevolence, without delicacy of feeling is mere good nature: susceptibility of feeling, without benevolence, is mere irritability."

Mrs. Carleton's sketch of the four kinds of sensibility in the four different classes of character, is a discriminative piece of practical

metaphysical writing of a high order, showing her power of entering into the highest and noblest as well as the weakest feelings of our compound being. But we must conclude with an assurance that the praise we have bestowed is merely from a strict sense of justice to a writer of rare merit, and that our quotations, though enough to justify our opinion, are not the best bits, but the average of the whole composition. We regard it not as a complete disquisition on psychology, but as an important original fragment of that large subject, the result of the attentive observations of very many years of the nervous and mental actions of a highly cultivated mind, and a most delicately organized body: of one whose deeply contemplative nature has been impelled by a ceaseless internal impulse, (the origin of which we cannot trace,) to seek to explain to herself the secret of the connexion of those nerves with that mind; of one who has viewed her thoughts, feelings, emotions, all the valuable experiences of a woman, a wife, and a mother, all her delicate observations of others in the society of the higher classes (for there is internal evidence of this in the delicate handling, the impossibility of a lady's nature to be otherwise than graceful) as experiments to elucidate this her life-problem.

Original Communications.

ADDITIONAL NOTES ON PROVINCIAL ASYLUMS FOR THE INSANE IN FRANCE; WITH A BRIEF REPORT OF THE INSTI- TUTION AT ILLNAU, IN THE GRAND DUCHY OF BADEN.

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(Continued from page 139.)

FAINS ASYLUM.

THIS public institution for lunatics is agreeably situated in the valley of the Ormain, about two miles from Bar le Duc, the chief town of the Meuse department. The surrounding hills—lying at a short distance—are partially wooded, and form a kind of amphitheatre; but, although the asylum has been built on low ground, which occasionally becomes damp, the situation seems open, well-ventilated, and is not considered insalubrious. The building has nearly the figure of an H, being originally constructed by Napoleon as a barrack, but afterwards it became a mendicity dépôt, till 1830, when its chief destination was changed to a receptacle for the insane. Since that period to the present, the house has been almost exclusively appropriated to such purposes: the exceptions being in reference to indigent persons affected with skin diseases, syphilis, or scrofula, who may be admitted by an order from the Préfet. However, although the number of these inmates seldom exceeds twenty or twenty-five, the practice is so objectionable that it ought to be altogether abolished.

The medical staff attached to this institution consists of one physician—Dr. Fornasari, and an interne. Both officers will soon be resident, whenever the apartments destined for the former gentleman are completed. In the interim, he resides at Bar le Duc, but visits the asylum every forenoon, or oftener, when necessary. Dr. Fornasari labours most assiduously in the discharge of his professional duties; and being ably seconded by his intelligent interne—M. Berrut, the patients receive every attention which their cases require. Formerly, the offices of physician and director were filled by one individual; but the number of inmates having considerably increased during recent years, the responsibilities became too onerous for a single official, hence, both duties were separated. In proof of this inference, it may be stated that, the total patients under treatment in 1845 were 271; whereas, during 1848 they had augmented to 343 inmates, which has ever since continued about the average number. On the day of my visit to Fains the insane residents amounted to 341; of whom 186 were male, and 155 female patients. Besides the above, twenty-one persons affected with cutaneous diseases, by syphilis, or scrofula, also resided in the house; eleven being males and ten females. Consequently, 362 patients altogether were then under the physician's superintendence.

Amongst the 341 insane persons now reported, about one-fifth, or seventy patients, were considered curable. The epileptics amounted to thirty; including twenty-one male and nine female patients. Those affected with general paralysis were fifteen, comprising fourteen men, but only one woman; whilst the total number of dirty patients was forty-five, or nearly one-eighth of the entire population, and consisted of nineteen men with twenty-six women. This aggregate amount was, however, less than on the 31st of last December, when sixty were similarly classified, out of 379 inmates then under treatment; hence, giving about seventeen such cases in every hundred lunatics. Besides the above details, it should be also mentioned that, all were not indigent persons, but included private patients from various districts; the actual number of the latter class being fifty-nine individuals, of whom thirty-one were men and twenty-eight women, who paid from 500 to 1800 francs per annum; although one lady of rank was charged considerably higher, in consequence of the superior accommodation afforded.

Notwithstanding this institution is appropriated for indigent insane patients chargeable to the Meuse department, some are natives of other localities. Thus, about one-fourth, or eighty-five inmates, belonged to the department of the Seine, having been transferred from Paris to this asylum, to relieve the overcrowded metropolitan establishments. Many of the above cases being of long continuance, and nearly hopeless of future improvement, readily explains why the proportion of curable patients is so inconsiderable, compared with the large amount of inmates of an opposite category. This feature seems, however, by no means peculiar to the asylum at Fains, being frequently observed in other public institutions for the insane; whilst such facts sufficiently account for the limited number of cures reported. Hence, it cannot be surprising, should the ratio of deaths considerably exceed the amount which might be reasonably anticipated, were patients admitted during the early stages of their mental disease; when there exists a far greater hope of amelioration. So much valuable time is frequently lost before lunatics are sent to an asylum that, attacks of mania, which might have been speedily cured, or materially alleviated, by judicious treatment then instituted, were thereby unfortunately rendered chronic, if not ultimately irremediable. Through such dilatory and blameable proceedings, the afflicted party thus becomes a permanent source of anxiety to relatives; and, if in indigent circumstances, consequently entails considerable annual expense to the commune, when sent to a departmental asylum.

On the day I inspected the Fains institution, only one man and two women were under restraint; besides a third female, who was merely confined in demi-camisole. It ought, however, to be mentioned in explanation that, the indivi-

dual reported as the solitary male inmate under confinement, was merely tied slightly to his bed, in order to prevent accidents, in consequence of being totally helpless. Dr. Fornasari declared himself a strong opponent of restraint; and said he never used the strait-waistcoat, unless its application became absolutely necessary, to prevent lunatics from inflicting injury on others or themselves. It ought further to be stated, when he first became attached to this asylum, several patients were then confined by camisoles, as they seemed very violent, and therefore considered dangerous. Nevertheless, having been soon freed from restraint, whilst pickaxes and wheelbarrows were substituted, most of these inmates went quietly to work in the gardens. This proceeding produced excellent effects, without ever causing any reason to regret its adoption; seeing insane patients thus treated become in a short time tranquil, well-conducted, and laborious. An interesting example of the beneficial effects thus produced, contrasted with the ancient method of treating lunatics, occurred in a maniac aged twenty-three, who was admitted during 1844 to the Fains Asylum. For a long period afterwards, the arms of this patient were constantly confined by a camisole, which was seldom or ever relaxed, even at meals. Having first examined the lunatic's condition most carefully, Dr. Fornasari ordered all restraint to be removed, and then sent him to dig in the garden, accompanied by an attendant. This poor fellow immediately began to work quietly, and with much ardour, which he continued next day, and subsequently. Afterwards, his mental condition became sensibly improved; and although ultimate convalescence cannot be considered very probable, there soon appeared some prospect of durable improvement.

During 1850 the movement of insane patients reported at this institution is detailed in the subjoined official statement:—

	Males.	Females.	Total.
Admitted	30	24	60
Discharged Cured	15	9	24
Died	22	8	30

Amongst the twenty-four patients cured, the largest proportion occurred when warm weather prevailed; fourteen individuals having been discharged convalescent, in June, July, and August, whilst only one patient actually recovered during the cold months of November, December, and January. Again, respecting the particular season when mortality proved highest, it is instructive to mention that five deaths, out of the thirty recorded, took place in the summer quarter; whereas, eleven, or more than one-third of the entire number, were reported in November, December, and January. According to such data, the ratio of recoveries was decidedly greatest in warm weather, the reverse being noticed during the cold season. On the other hand, the deaths were fewest in summer, but most numerous in winter. Lastly, amongst the whole thirty fatal cases reported, eleven patients were affected with dementia, six being men and five women; while thirteen, or nearly half the whole deaths, arose from paralysis, all being male patients, but without even one female; since, they are very rarely attacked by this almost incurable form of mental disease.

The bodies of insane patients, in this asylum, being carefully examined after death, I am hence enabled to state that, last year, seventeen autopsies exhibited disorganization—more or less visible—of the brain and nervous system; in five the thoracic organs were chiefly affected; five deaths arose from disease of the abdominal viscera; one by cancer; another from a tumour; and there was one suicide. According to these official statements, it appears that in every fatal case, the patient laboured under serious bodily disease, the largest proportion being affected with paralysis; besides which, one of the examples, although reported to have died from pneumonia, was an epileptic patient, who sunk during an accession of the latter malady. Seeing the proportion of deaths amongst male patients was nearly treble in number, compared with females, it ought to

be observed, as explanatory of such results that, the discrepancy chiefly depended upon apoplexy and dementia with paralysis having proved exceedingly fatal to male patients, thirteen cases being recorded by the above two diseases. Respecting the greater frequency of the latter mental malady amongst men than women, doubtless, it arose from the more dissipated habits and excesses of the former sex, especially the abuse of intoxicating drinks, which, unfortunately, prevails in this district.

Again, regarding the age of those patients who died, it also deserves special mention that, only two were under thirty years; whilst the most fatal period amongst men appeared to be from the age of fifty-one to sixty, seeing six of the whole twenty-two fatal cases now reported in that sex actually occurred. Several individuals had, however, attained a more advanced period of life prior to the termination of their mental malady. Thus, three men and two women ranged from sixty-one to seventy when they died, whilst three men and two women were from seventy-one to eighty on the occurrence of that event; thereby showing mania is by no means incompatible with longevity. To which it may be added, as a general remark that, youth favours recovery in recent attacks, but in old age the result seems otherwise.

Before bringing to a close this brief notice of the chief occurrences recorded at the Fains Asylum during 1850, I would further observe, amongst the insane inmates admitted throughout that year, thirteen of the thirty-six male patients laboured under acute mania, six suffered from dementia, six showed symptoms of paralysis complicated with dementia, six were imbeciles, two monomaniacs, one was epileptic, and one idiotic, whilst the remaining case laboured under lypemania. Of the twenty-four female lunatics likewise admitted during last year, eleven had acute mania, seven lypemania, three dementia, while the residuary three patients were all monomaniacs; whereby it appeared no female then received was affected by epilepsy or paralysis. According to these details, acute mania consequently formed the most common variety of mental disease affecting persons recently admitted into this departmental asylum. It farther deserves notice, amongst the twenty-four male and female patients labouring under acute mania at the period of their admission in 1850, thirteen were discharged cured, within the same year; six left considerably ameliorated; and two died; whilst three remained under treatment on the 1st of last January.

Another point in reference to the total cures reported deserves mention; namely, although a large proportion, or ten out of the twenty-four patients discharged convalescent, left the asylum after being under treatment from six weeks to three months, and five from that period to nine months, still other five male patients were also discharged perfectly sane, after having remained not less than six years in the establishment, besides one who had been an inmate since 1840. Notwithstanding these instructive facts conclusively demonstrate mental diseases to be curable in a higher ratio, where an attack is recent, and appropriate treatment employed during the early stages, nevertheless, chronic cases of long standing are not always hopeless of amelioration, nor even sometimes of complete convalescence.

Having no farm attached to this asylum, patients employed in out-door occupations generally labour in the extensive and well arranged gardens adjoining; where many were actually occupied at the time of my perambulations. Other inmates, also, appeared busy in cutting and storing firewood for the ensuing winter's consumption. Some were likewise occupied in the stable and dairy; whilst another party exhibited great zeal in constructing a new summer house for patients who desired shade, or required repose. Various handicraftsmen were besides employed, such as carpenters, weavers, tailors, and so forth; Dr. Fornasari being of opinion that, bodily exertion is indispensable in the management of insanity; consequently, every means available to promote that essential object are put in requisition; seeing labour, skilfully applied, proves morally and physically hygienic to every living being, but especially to the

insane. Its judicious application ought, therefore, to be always advocated when combined with nutritious food and proper regimen.

In the treatment of female patients in this asylum, similar principles also seemed the guiding rules of conduct; many women being occupied in making or mending clothes, washing, cooking, cleaning apartments, and in various household duties. In consequence of numerous lunatics being thus busily employed, the general aspect of both divisions appeared tranquil, especially the female wards; and as the bodily health, generally speaking, of most inmates was satisfactory, considering their mental afflictions, the impressions produced respecting the Fains establishment, as also my subsequent recollections, were favourable, particularly of its medical superintendence.

Although space does not permit entering at any length upon the medical treatment pursued in this, as in other French asylums, nevertheless, Dr. Fornasari having recently paid much attention to epilepsy, and the treatment considered best adapted for that terrible disease, it may be interesting to state the result of his experience in reference to the valerianate of zinc, which he has recently employed in eight epileptic men and four women, of whom none were either paralysed or imbecile. Through this metallic remedy, the attacks of epilepsy appeared to be diminished both in frequency and intensity. Indeed, several of the above twelve patients who actually suffered from seizures every three, six, eight or ten days, previous to taking valerianate of zinc, derived so much benefit that, he reported more than three months had elapsed without any recurrence; and when a fit did supervene, the attack lost much of its previous intensity and violence; whilst the physical health of every patient so treated, with one exception, became generally ameliorated. The remedy was given at first in moderate doses, but afterwards gradually augmented; and in some cases, even to the extent of three grains and a half every morning, fasting. Besides an occasional purgative, frequent baths were likewise employed, and the diet regulated carefully. As epilepsy is almost incurable, especially in advanced life, or even in middle age, and being very little amenable to remedies, the experience of Dr. Fornasari, in regard to valerianate of zinc in that disease, becomes important, and seems sufficiently encouraging to deserve farther trial by practical physicians.

When several improvements now contemplated, with those actually in progress are completed, a more minute classification of the inmates will be established than is at present possible, owing to the crowded state of various dormitories. Besides new workshops, upon an extensive scale, a large bath-house has been decided upon, and will be forthwith commenced. The wooden bedsteads now in general use are also being replaced by others made of iron; so that here, as in many other departmental asylums, it may be justly said, the managing authorities, instead of falling asleep at their posts, are zealous in remedying ancient defects, and in improving the accommodation afforded to residents, in order to relieve the afflictions of those unfortunate human beings committed to their care and keeping. One article in the dormitories of Fains attracted my attention, from being the first occasion in which I had ever noticed a similar appendage to any French asylum previously visited. Besides the ordinary bedclothes, each patient was provided with a large eider down pillow—the “plumeau” in France, or “eider decke” of Germany—placed over the counterpane. This custom reminded me of “Deutschland;” and indicated that here, as in Lorraine, but especially Alsace, the inhabitants still retain considerable resemblance to the race from whence many of their progenitors originally sprung. Nay, the latter province seems more allied to Germany than France, by language, blood, physical appearance, and temperament of its natives, or geographical position. Nevertheless, politically speaking, the general population here consider themselves more truly French and republican, than persons belonging to many other districts, who are, viewed geographically, as much entitled to assume these distinctive denominations.

Before concluding my report respecting the Fains asylum, in order to illustrate the attention now paid throughout France, to give greater protection to numerous but formerly often neglected lunatics, it may interest readers if a brief summary was added, showing the general movement of insane patients under medical care at this institution, during a period of six years, ending on the 31st of December, 1850. According to official documents, 496 lunatics, including both sexes, were admitted from the first of January, 1845, to the end of last December; and 118 were discharged cured; thus giving 23·99 per cent. recoveries, if compared with the total admissions. On the other hand, the deaths being altogether 219, the rate of mortality therefore amounted to 44·15 per cent., similarly calculated. However, as many of the lunatics received into this asylum, during 1845 up to 1848 inclusive, comprised incurable men sent from Bicêtre, besides females from the Salpêtrière, most of whom had been long insane; such facts must be always taken into calculation, when estimating both the limited proportion of cures effected, and likewise the amount of deaths; the latter being nearly double the ratio of cases discharged convalescent. No case of cholera having prevailed during 1849, that feature must not be disregarded, in reference to the gross mortality now reported, especially, seeing fewer deaths occurred at the institution during that year, than throughout any similar twelve months, excepting in 1848, when twenty-four patients died from all causes; the number being forty-nine in 1846, fifty-one in 1847, twenty-six in 1849, and thirty during 1850, as previously mentioned. Believing this immunity from epidemic cholera—which elsewhere proved frequently fatal—was greatly promoted through augmented attention then paid to hygienic measures, to better dietary, and the employment of other means recommended by medical authority, their adoption consequently reflects much credit upon the managing committee of the Fains asylum.

AUXERRE ASYLUM.

Having felt it imperative, as an impartial reporter, to state every circumstance which came under cognizance during both my recent visits to French provincial asylums, perhaps some of the statements recorded may not altogether prove agreeable to parties connected with several of the institutions then inspected. Being always received with much kindness, and having experienced every facility at the respective offices for obtaining information, I nevertheless hope the criticisms expressed in the present, as in my former narrative, will be viewed in the way proposed—namely, to illustrate principles and the practice pursued in public establishments, not to disparage individuals. To make any remarks of the latter description was never intended; and it always produced more pleasure when able to speak in terms of commendation, than to notice matters requiring amendment. On many points English physicians—interested in the management of asylums, and the treatment of lunatics—may derive improvement, as also knowledge from their brethren “d’outre-mer:” although the latter would equally benefit by adopting some of the principles guiding psychological practitioners of this country. In France, Pinel first pointed the way, Esquirol then directed public opinion; whilst in England, Gardiner Hill, Conolly, and other distinguished men followed, nay, have even surpassed former advocates of the new system. Indubitably, more personal coercion prevails, when treating lunatics throughout foreign countries, than in Great Britain; but every year further progress is there made in the right direction. This important practical fact seems apparent in various recently constructed departmental institutions, especially at the establishment about to be described, which constitutes a remarkable and very gratifying illustration regarding the disuse of physical restraint.

Amongst the numerous lunatic institutions I have visited in France, either previously, or during last autumn, the asylum at Auxerre, although equalled in some respects by several departmental establishments, nevertheless, deserves

the highest commendations, as it stands out pre-eminent in one important feature, compared with every other similar institution passed under review. However, as this seems anticipating a conclusion respecting which more will be said hereafter, I therefore now proceed, in the manner hitherto adopted, first to narrate the various data upon which inferences may be justly founded, and after giving the entire statement then to express my own opinion.

This public institution for lunatics is contiguous to Auxerre, the capital of the Yonne department. The town contains, at present, nearly 13,000 inhabitants, and formed part of the ancient dukedom of Burgundy. The situation of the asylum is agreeable, and on rather elevated ground, which gently slopes towards the river Yonne. It possesses an extensive yet beautiful prospect of the surrounding district. Auxerre, with its venerable cathedral and elegant spires, being on one side, with vine clad hills ornamented by pretty looking villages in front, but at a distance, whilst the country, in other quarters, consists of corn-fields or vineyards. Hence, the varied yet extensive prospect thus afforded forms altogether a splendid panorama. Contrasted with other departmental lunatic institutions, the one now described, although adjoining a populous neighbourhood, and close to the high road leading to Paris, possesses more local advantages, in my estimation, than any other asylum alluded to throughout these pages, whether in reference to situation or convenience; and if official reports, with actual appearances, may be trusted, doubts cannot exist respecting its salubrity.

Formerly, the Auxerre asylum was a mendicity dépôt for disabled and infirm persons of the district. Since 1839, it has become a lunatic institution for indigent insane patients belonging to the Yonne department. The present medical staff consists of one physician—Dr. Girard de Cailleux, and one resident interne; although it is expected there will soon be two of these very useful, nay indispensable, medical officers in all establishments where insane persons are congregated. At the period of my visit, the total resident lunatics amounted to 266—consisting of 109 male and 157 female patients; thus giving a considerable preponderance to the latter sex. Amongst the 266 inmates now enumerated, so large a proportion as 100—including 30 men and 70 women—were pensioners, who paid from 450 to 2400 francs per annum for board and treatment. Taking the whole insane population into account, it was stated, in reply to my inquiry that, paralysis affected 11 cases, of whom six were males and five females. The epileptics amounted to 26, comprising 12 male and 14 female inmates; whilst only four were dirty patients, one being a man and three women. Many of the residents were incurable, as in most public insane establishments both of France and of England; whereby, the cases discharged convalescent are often inconsiderable.

Although mental diseases may not be so frequent amongst the general population of this district of France, as mania has been ascertained to prevail throughout other parts of the republic; and still more, if the ratio be compared with that reported from various northern regions of Europe, the peculiarity, however, becomes instructive which Dr. Girard pointed out, in one of his recent valuable publications, respecting the marked discrepancy in the amount of insanity prevailing throughout different, but even neighbouring portions of the Yonne department. For instance, in the arrondissement of Auxerre, he reports one person to be insane for every 989 inhabitants; whereas, in that of Tonnerre which adjoins, the ratio is one lunatic amongst every 1947 residents; hence giving only half the former proportion.

During 1850, the movement of patients at the Auxerre asylum was reported as under:—

	Males.		Females.		Total.
Admitted	36	...	39	...	75
Discharged Cured	11	...	11	...	22
Died	15	...	10	...	25

According to the register of autopsies, which is carefully kept at this asylum, in a large proportion of fatal cases, disease of the brain and nervous system was observed, whilst few patients showed either pectoral or abdominal changes of structure. Thus, in 17 of the 25 deaths reported, the brain or its appendages were decidedly disorganized; in three, the organs of the chest exhibited morbid alteration; in four, the abdominal viscera appeared chiefly affected; whilst one case was a suicide.

Having endeavoured, in all previous reports, to give accurate information relative to the amount of restraint employed on the day I visited every institution, it gives me much gratification to state that, in the departmental asylum of the Yonne, *no insane patient, either male or female, was then confined by camisoles*; the return of personal coercion being actually, *Nil*. A couple of male lunatics were, however, placed under temporary seclusion in cells, from being very excited or violent at the time, but both were physically free and unrestrained. Besides these, two insane women were similarly situated, one of whom had also a prolonged tepid bath, with capillary irrigation upon her head; which treatment Dr. Girard often finds very efficacious in tranquillizing furious maniacs.

During our visit to this afflicted inmate she talked incessantly, paid at first no regard to the inquiries made respecting her condition, even would not look at any bystander, and seemed quite bewildered or unconscious of external objects. Instead of speaking in his usual voice, Dr. Girard put some questions in a low whisper, to which the patient at first gave no attention. However, the inquiries being repeated slowly several times, and in a tone nearly inaudible, whilst the physician moved his lips rather more than in ordinary speaking, besides looking steadfastly at the patient's countenance, attention was at last attracted, and she replied distinctly to different questions. The dialogue being continued a little longer, this maniac became much more calm, and ultimately remained tranquil. Referring to the above case, Dr. Girard subsequently said, he generally found similar results were more frequently produced by speaking slowly, and in a subdued tone of voice, instead of addressing similar patients in the ordinary manner. The illustration thus given certainly appeared strong evidence of its efficacy; as some hours afterwards, this inmate was recognised in one of the work-rooms, conducting herself like many of her companions, and without manifesting any symptom of having so recently laboured under previous excitement.

The facts now detailed, with others which were also communicated by Dr. Girard, indicate sufficiently the judicious system usually pursued at this admirably regulated institution; where, occupying insane patients and eschewing personal restraint are the great leading principles of management. Previous to the appointment of the present resident physician-director, now ten years ago, matters were indeed very different, if contrasted with recent appearances. Formerly, although only 140 patients occupied the asylum, there were 56 solitary cells to confine furious maniacs, all having stone walls, and iron bars in every window.

Notwithstanding the large number of cells formerly constructed, it was even proposed to add 22 additional apartments of a similar kind; but Dr. Girard—then in office—having strongly opposed the proposition, the idea was abandoned. Now, these ancient prison-like dens are being all demolished, in order to be replaced by ten new rooms of a very different and superior description: five for male, and also five for female patients. The plan selected is that of a fan; and each cell will have a small court-yard or garden behind, with two opposite entrances. By this means, an attendant placed in the focus, as it may be styled, of either building, can at once inspect the interior of each division, and so overlook every occupant, without being recognised.

As an explanation of the large number of cells formerly existing in this asylum, and of the proposal made some years ago, to construct others in addition, it should be mentioned that, no medical officer actually resided within the

establishment, seeing patients were merely visited by a physician practising in Auxerre, who attended during six months, when another practitioner succeeded. Hence, there could exist no efficient medical superintendence; especially as the chief management and entire responsibility were vested in a directrice belonging to a religious order, who lived on the premises, and wielded great authority; indeed, this functionary was endued with power supreme. No system could be more objectionable in a lunatic institution, than the method formerly pursued; which ample experience has conclusively proved to be wholly erroneous. Fortunately, Dr. Girard then became the local presiding genius; and subsequent results have demonstrated the change was in every way judicious.

Besides the evidence already detailed indicating a constant desire to avoid employing personal coercion, several additional cases might be mentioned, as they supply instructive illustrations. Thus, three female patients were particularly pointed out for my observation, who had been described on their entrance, according to reports transmitted from another asylum, as very violent and dangerous lunatics. Nevertheless, the camisoles they wore, when brought to Auxerre, were removed soon afterwards. A soothing method of treatment having been substituted, so much amendment followed that, personal restraint became no longer necessary in any of the patients, therefore, it was wholly abandoned. No iron bars appeared in the windows anywhere; the new courtyards seemed spacious, airy, and were ornamented with trees or shrubbery; whilst covered galleries, open at the sides, and adjoining the new dormitories, had been constructed, which the inmates occupied as work places in fine, or promenaded during bad weather. In the division for agitated patients remarkable tranquillity also prevailed; and, I would add, throughout the entire establishment, every effort was made by the executive to avoid any appearance of a prison, whereby it looked like a workhouse or ordinary hospital.

To occupy patients at various employments is the constant object pursued at this institution. Consequently, a large proportion of inmates are always busy in manual or mental labour. The men as bakers, gardeners, and in handicrafts; besides many actually employed as labourers, to assist the hired workmen who were constructing various new buildings. A number of women, likewise, were engaged in different kinds of female occupations, or in ordinary household employments; hence, throughout the asylum, scarcely any person seemed idle, whilst an appearance of activity reigned in almost every part of the establishment. Besides employing lunatics in judicious bodily labour, it is always considered a great object with Dr. Girard to vary their employments, so as to fix the patient's attention on different objects successively, and thereby improve the individual mental condition, without inducing either fatigue or indifference, which otherwise follow long continued application to one subject consecutively. Music and singing also constitute important adjuvants to the various recreations employed, in addition to medical or ordinary remedial measures. Dr. Girard is a strenuous advocate for music in the treatment of mental diseases; and speaking generally from his experience, entertains decided views respecting the efficacy of melody in numerous cases of insanity. On this important point, the authority of Scripture, as also of ancient and eminent modern authorities, is highly favourable to employing music towards alleviating paroxysms of mania; indeed, it may be asserted confidently, that often efficacious remedy is now too much neglected.

After work or amusement, parties of lunatics—both male and female—frequently go out towards evening to walk in the neighbourhood, or upon the boulevards of Auxerre: which, for beauty and splendid prospects they nearly everywhere afford, are unique, if not the most charming promenades throughout France. On no account whatever, are patients ever permitted to enter the town, when enjoying these excursions, lest the proceeding might prove inconvenient to the inhabitants, besides acting injuriously upon inmates. This is an excellent regulation, and highly commendable. During the afternoon of my visit to

Anxerre, two parties of maniacs, consisting each of about fifteen females, with attendants, left the asylum for an excursion in the adjoining fields. Having previously arranged their dress, put on gay caps and shawls, the groups really looked more like countrywomen going to a fair or merry meeting, than lunatics leaving a mad-house. The spectacle thus brought accidentally under observation was exceedingly gratifying; particularly, as the persons then setting off to breathe the cool breezes in the open country around seemed highly pleased, and behaved as if rational beings, thereby justifying a proceeding so deserving of general imitation.

Besides occupying inmates in physical labour, according to each individual's capabilities, mental culture is likewise carried forward assiduously. The chief means then employed are reading, writing, arithmetic, and drawing, whenever suitable to each pupil's varied capacity: the system pursued being by mutual instruction. During the period patients were engaged in these exercises, I visited various parties, both in the male and female departments, where it was exceedingly interesting to see insane teachers instructing other lunatics, from the first elements of education up to drawing, and to repeating from memory passages of authors. Several male inmates wrote admirably, although some could scarcely hold a pen when first admitted; and many, who could neither read nor write on entrance, had since become proficient in these accomplishments. Notwithstanding particular patients acted as monitors, still professional instructors—both male and female—were attached to different divisions, who taught the monitors and more advanced inmates, besides superintending the whole proceedings: which, I can state, have already produced very beneficial consequences.

In some of the new work-rooms recently constructed—all of which are lofty, well ventilated, and cheerful looking—various appropriate mottoes, and instructive sentences or proverbs, have been written in large characters upon the sides of each apartment. Being constantly under the observation of residents, besides attracting their attention, and so exciting mental volition when read, they also convey instruction. To copy in my present narrative any of the adages thus recorded is unnecessary, seeing many were appropriate sayings and quotations from holy writ. The plan itself, however, cannot be too much lauded: and deserves being brought under notice, for the information of other official authorities. Like sermons in stones, and good in every thing, to find madhouse walls thus teaching wisdom to human beings deprived of reason, is certainly gratifying evidence of the great superiority of this institution. Flowers, with other ornaments, were likewise placed on the tables and mantel-pieces; whilst scrupulous cleanliness prevailed everywhere.

In the dormitories, all the bedsteads were of iron, and those occupied by dirty patients seemed of a novel yet excellent description. In the various divisions an accurate register is kept, as well of the description of labour, as of the amount performed by every patient, with the number of hours each individual was employed; the value of the work accomplished, and other particulars, were likewise all accurately recorded. At the end of every three months, the whole particulars are then regularly entered against each patient's name; so that the committee of surveillance can at once ascertain how different inmates have been engaged, and the gratuities to which any person is entitled.

Another arrangement, equally important in reference to the lunatic's well-being and comfort, deserves even more than a passing remark, since it produces exceedingly beneficial effects throughout the establishment. The measure alluded to has now been in operation during some time, and confers much credit upon Dr. Girard for its introduction. According to existing regulations, each patient in the asylum must have a "trousseau," or "kit," to use military language, which comprises three changes of linen, such as shirts, stockings, and handkerchiefs, besides a comb and brush. Upon every separate article a specific number is marked—originally given to the party on entry—but never

assigned to any other inmate: or altered, however long its possessor remains in the establishment. The system invariably pursued respecting trousseaux is the following:—One change is worn, another is at the washhouse, and the third lies ready for use on a particular shelf in the dormitory, on which each owner's number is inscribed; while the brush and comb are always suspended from every patient's bed-post, when no longer required. Besides preventing any inmate from wearing another's clothes, which becomes both useful and essential, especially where females are congregated, this arrangement also obliges parties to arrange separately their own habiliments. But other advantages of even greater importance deserve notice: since such means promote cleanliness, and also awaken order, with a desire to preserve individual property. Judiciously managed, the plan often produces beneficial consequences; it teaches also regular habits amongst residents, and even induces mental application. Dr. Girard spoke highly of the important results observed by lunatics being thus obliged to superintend their own trousseau; and he strongly recommended its adoption in every lunatic institution.

Much attention is likewise paid to the proper classification of patients in this asylum; although during the demolition of ancient dormitories, and the construction of new buildings, this cannot be properly accomplished, especially owing to deficient accommodation, on the male side, where various sleeping apartments and work-rooms are over-crowded. Notwithstanding this inconvenience, and the large number of ordinary workmen now occupied on the premises, great quietude prevailed everywhere; indeed, no confusion or apparent disturbance seemed produced by lunatic labourers mixing with, and assisting others perfectly sane. In proof of this it may be mentioned, when the bell rang after dinner for workmen to resume labour, a number of patients took up hods or shovels, apparently with as much alacrity and calmness, in order to join other labourers, as if no distinction whatever existed respecting their mental faculties.

Subsequently, I visited, with Dr. Girard, several refectories, when residents were partaking their evening meal. In one apartment, ninety patients sat at table, and behaved like rational creatures. Each had knives, forks, and napkins; whilst flowers in pots enlivened the scene, and served as ornaments, alongside the dishes containing viands. Each group, or mess, was presided over by a patient belonging to their own party; and although ordinary attendants were present, several lunatics likewise acted as assistants, being distinguished from ordinary inmates by wearing a particular coloured jacket, to give them official authority. Afterwards, all the guests returned to their respective court-yards, to repose in the shade, or to breathe a little fresh air, previous to resuming work, amusement, or instruction.

From the ample opportunities afforded of seeing the entire population, I am enabled to say confidently, the physical health of the whole establishment was satisfactory. Indeed, scarcely any bodily sickness prevailed, as few inmates occupied the infirmary, and those actually in this department only suffered from insignificant complaints. Whether labouring under mental maladies, or suffering from any bodily disease, accurate reports of every case are regularly taken by the physician or interne, which contain very full particulars of the history, symptoms, and treatment pursued. I specially mention this circumstance, as the official case-book seemed more full of useful details, than similar documents in many other insane institutions. The system adopted when compiling these records, to my mind, seemed concise, yet minute, and exceedingly instructive.

Regarding the medical treatment of mania, I would here remark that, Dr. Girard entertains a most favourable opinion of sulphate of strychnine, as an efficacious remedy in cases of idiocy, stupidity, and general paralysis of the insane; more especially, where the individual is a dirty patient, of which several examples, illustrating the utility of this preparation, were pointed out during

my perambulations. When exhibited, the beneficial operation of strychnine often appeared most marked; as patients were then enabled to use their ordinary clothing, and to occupy a common apartment, which they seldom dirtied if under its influence. The medicine frequently effected so much good in cases of this description that, the average number of dirty patients has been reduced to four, or at most to five, throughout the asylum. Besides these beneficial results, lunatics taking strychnine often become less apathetic, and are also more easily induced to work at any employment than previously. Dr. Girard further mentioned, he had observed decided curative effects to follow the administration of ergot of rye, if given in large doses to female patients labouring under intermittent mania, especially if the attack depended upon, or was influenced by, disordered catamenia. Several instructive examples of the benefits thus derived were shown subsequently. However, as that physician intends soon to publish his own remarks, and recent experience in regard to the above remedy in intermittent mania, the profession will then be able to judge for themselves respecting its utility.

Unlike many public lunatic establishments in France, the Auxerre Asylum is amply supplied with excellent water, recently brought at an expense of 1300*l*. from St. Margaret's spring—situated on a neighbouring elevation. Further, as a large reservoir has been constructed within the premises, water is now laid on to every court-yard; but although it has not yet been carried into the different buildings, the supply is most plentiful, and proves a great acquisition to the entire establishment. A new bath-house also enables the executive to administer bathing in every form; which here, as elsewhere throughout the country, is much employed as a remedial measure during the treatment of insanity.

Although the present garden adjoining is not of limited extent, it will soon be considerably enlarged by a new purchase lately made: whereby, the ground appropriated to horticultural occupations will amount to about twenty-five acres. No farm is attached to the asylum, and there does not appear to be any intention of acquiring such an appendage; as it is thought more advisable to employ lunatics in garden work, than the former more laborious occupations, which cultivating a farm necessarily requires. Dr. Girard, however, highly approves of gardening employments, and thinks that kind of bodily labour not only produces sufficient muscular exertion, but is, besides, much more agreeable to lunatics, than almost any other kind of out-door work. At the same time, the culture of esculent plants, and the pleasing aspect of flowers, generally produce favourable impressions upon the obtuse or weakened intellects of lunatics, and may more often prove efficacious.

Cholera prevailed, during 1849 to some extent in this asylum, when twenty-one deaths occurred from that epidemic. Again, as the facts may seem interesting, I should likewise mention, in reference to the total movement of patients that, during ten years ending on the 31st of December, 1850, as many as 878 insane patients have been admitted, of whom 236, or nearly 26 per cent., were discharged cured; seventy-three left the institution improved; eight also left for various reasons; and 286, or 32·57 per cent. died; thus leaving 275 lunatics under treatment on the 1st of last January. It ought also to be added, amongst the entire number, 246 were pensioners, and 632 indigent patients; whilst 272 of the latter category were tranquil, and 360 classed as dangerous. It is likewise instructive to state, seeing the facts partly explain the small amount of cures, and large ratio of deaths that, nearly all the 272 inmates reported as inoffensive patients, were old people, who laboured either under senile and simple dementia, general paralysis, or chronic epilepsy without delirium, many being besides idiots and imbeciles.

When all the improvements at present in progress, and those contemplated, shall be completed, unquestionably the Auxerre Asylum will then become one of the best constructed throughout the French republic.

Already from six to seven hundred thousand francs have been expended in rearing the new constructions; and as an additional two hundred and fifty thousand francs were voted by the departmental council-general, only the week previous to my inspection, in order to complete this institution, nearly one million will ultimately have been spent upon the entire structure. Much of its actual efficiency, and acknowledged reputation amongst the public asylums of France, is certainly due to Dr. Girard's unwearied professional exertions, and directorial superintendence. But, however true the above remarks, it is equitable also to state that, other parties likewise deserve much credit in the same benevolent undertaking; and no one more justly than the present Préfet, M. Haussman, who now fills that high government appointment. This gentleman has all along taken the greatest interest in the progress and improvement of the Auxerre asylum. Indeed, it has been a fortunate circumstance that a person so influential in the department as he is virtually, seems a zealous and energetic promoter of all judicious ameliorations. Through the influence of such an authority—the ruling executive power in his own district—former and recent grants of money have been more easily obtained, and difficulties were thereby removed, which might have proved otherwise insurmountable. Having had the honour of an interview with the Préfet, who received me at the préfecture in a most urbane manner, I would briefly observe, before concluding the present narrative that, amongst numerous interesting remarks then made to Dr. Girard and myself, it was exceedingly satisfactory to hear many practically sound views so clearly developed at head-quarters, respecting the judicious management of lunatic asylums. Entertaining highly-pleasing reminiscences of this conversation, besides other satisfactory circumstances, I left Auxerre sincerely desirous every French departmental institution might always obtain official rulers equally able and zealous like M. Haussman, who was, to adopt the English designation, Lord-Lieutenant of the Yonne.

DIJON ASYLUM.

The above-named institution for lunatics is situated within a very short distance of Dijon, formerly the ancient capital of the powerful Dukes of Burgundy, but now chief town of the Côte d'Or department, and containing about 26,000 inhabitants. The ground occupied by this asylum once belonged to a Carthusian monastery, whereof a few remains still exist, especially the celebrated Well of Moses, executed by Claus Slater. This curious structure contains statues of Moses, Daniel, David, Jeremiah, Zechariah, and Isaiah, each placed upon elaborately chiselled pedestals; and as every figure seems admirable in expression, they deserve examination. The well in question occupies one of the asylum court-yards; where many strangers come to admire so singular a work of art, from being considered one of the most interesting relics of olden times, throughout this part of France. Some remains of an old chapel also exist, which constituted the ancient burying-ground of the reigning ducal family. Amongst the most remarkable tombs this cemetery contained, that of "Philip the Bold," and also of his son "John Without Fear," stood pre-eminent: both being reputed the finest specimens of mediæval art existing north of the Alps. The last-named duke, our readers may remember, was most barbarously murdered upon the Bridge of Montereau, on the 10th of September, 1419, during a conference with the Dauphin, afterwards Charles the Seventh of France.

Notwithstanding the iconoclastic fervour of the revolutionary commune, who had decreed, in 1793, these monuments to destruction: nearly every portion of both tombs was fortunately preserved, either in private cabinets, lumber-rooms, or the church of St. Bénigne, till 1818, when, the departmental authorities having determined to restore these sepulchral antiquities, the different pieces were carefully collected, repaired, and ultimately placed in the public museum; where they will amply repay inspection by artists, or amateurs of beautiful and elaborate workmanship.

The Dijon asylum is situated close to the city, and not far from the Paris railway station. Notwithstanding its vicinity, the building is not overlooked even by immediate neighbours, in consequence of a row of trees which interrupts their view, whilst a thick wood occupies the opposite quarter. Further, the gardens and fields belonging to this institution being surrounded by a high wall, not only all exterior communication is prevented, but strangers can neither see the interior, nor any inmate observe or be disturbed by outward objects. Although the asylum is constructed on rather low ground, and has moderately elevated hills adjacent, nevertheless, the locality is considered salubrious. Many ancient French monasteries having become ruinous through age, or been demolished during the first revolution, scarcely any part of the old buildings now remain, excepting the director's residence, and a wing now appropriated for offices. The dormitories, and court-yards, with other appurtenances, are all new constructions, specially erected for the reception of lunatics, who have been admitted, since 1843, into this public asylum; of which the medical staff comprises a physician-director—Dr. Dumesnil, and one interne, both being resident.

At the period of my visit, the number of insane patients in the Dijon asylum amounted to 254, of whom 101 were males, and 153 females; about nine-tenths of the whole being considered incurable. With reference to the general classification of inmates under treatment, it will sufficiently indicate several chief features to mention that, eleven laboured under paralysis, comprising eight males, and three females; forty-one were epileptics, twenty being men, and twenty-one women; whilst about one-seventh of the total number, or thirty-six persons, were classed as dirty patients. Although indigent lunatics belonging to the Côte d'Or can only be admitted into this public asylum, private persons are received, as at other departmental institutions for the insane throughout France; the payment ranging, in such cases, from 500 to 3000 francs per annum, according to the accommodation supplied. At the period previously quoted, the number of pensioners amounted to thirty-seven, of whom fifteen were male and twenty-two female maniacs.

Respecting the important question of personal coercion, it is satisfactory to report, not one male patient was restrained by a strait-waistcoat, on the morning of my inspection. Five female inmates were, however, then in camisole; one of whom had the face likewise covered with an iron-wire mask, to prevent her tearing the clothes she wore, being often much excited. Nevertheless, it should be stated, in one of the court-yards occupied by males, an idiot patient was loosely attached to the iron railings of the enclosure, by a broad belt, to prevent his falling down, whilst inhaling fresh morning breezes; but, otherwise, he continued quite free. The above precaution had been only adopted, because this poor fellow could scarcely stand upright, and was frequently violent, besides being dangerous to other inmates. Indeed, some months before, having attempted to walk in the court-yard, he fell and broke his arm, which had only recently united. After such an accident, it was thought most prudent, whenever this patient remained out of doors, to adopt the loose strap just mentioned, so that no other mishap might again supervene.

The general health of residents appeared uniformly good, very few patients being then in the infirmary suffering from bodily disease: and even those actually under medical treatment, in this division, were only affected with unimportant complaints. Indeed, the salubrity of the asylum, and physical condition of its entire population, were reported to have proved equally satisfactory during the past three months, not one patient having been confined to bed continuously throughout the establishment. When perambulating various court-yards, two goitreuse females were noticed; still this affection is not considered common in the surrounding district. Epileptic and paralytic patients, as already remarked, were rather numerous. Respecting the latter malady, I would here mention an observation which Dr. Dumesnil made, as it seemed important, viz.,

paralysis would not so frequently afflict insane people resident in asylums as at present, were they always to have plenty of fresh and well-cooked vegetables, along with their usual provisions. In fact, he viewed this disease in a light somewhat similar to the scurvy, which often attacks persons deprived for a long time of these essential articles of diet. This opinion being based upon considerable experience, obtained in other establishments, and as the observation is supported by such good authority, it deserves notice in these pages, so that other practitioners may make further inquiry regarding similar practical questions.

Although cholera prevailed epidemically in Dijon, during 1849, no case of that disease actually occurred in the asylum. However, respecting the general mortality met with, it will be interesting to add that, throughout the three last years, viz., 1848, 1849, and 1850, the average rate has amounted to one fatal case in about every fourteen and a half inmates; thus, making seven deaths per hundred admissions. Amongst these examples, a large majority were occasioned, according to subsequent autopsies, by diseases of the head and nervous system, three-fifths, at least, having been of that description; whereas, very few exhibited any affection of the thoracic organs, not only then, but ever since the asylum was first opened.

Such observations become highly instructive; especially as they are derived from minute examination of the register of dissections made at the Dijon asylum, since 1843, which Dr. Dumesnil kindly permitted me to inspect. No evidence could be more conclusive regarding the infrequency of pulmonary complaints amongst lunatics, throughout this part of France, than the numerous necrotomies thus performed. The above fact is farther of great practical importance, seeing it clearly indicates this locality, instead of proving prejudicial in pectoral diseases, or likely to produce them, has an opposite tendency; since the maladies usually very fatal amongst insane patients are pulmonary, which seem here exceedingly rare. Being unable to make inquiries at the city general hospital, in order to ascertain whether this peculiarity also prevailed in ordinary patients, it is, consequently, impossible now to draw general conclusions respecting the prevalence or rarity of pectoral complaints in this district. Nevertheless, the point now mooted deserves further investigation: more especially, as the experience acquired at the Dijon asylum, during several years, would certainly warrant an opinion favourable to the Côte d'Or climate, in reference to pulmonary disease, compared with some other departments. Having purposely alluded to the above unusual feature exhibited at this institution, not only on account of its scientific application, but also to induce other physicians to make additional inquiry, I shall feel satisfied, should the few cursory remarks now made have such results; because, if it be afterwards shown that phthisis seldom prevails in this locality, then medical knowledge will become extended with benefit to humanity.

During 1850, the movement of insane patients at the Dijon asylum, according to the official register, was reported as follows:—

	Males.	Females.	Total.
Admitted	42	50	92
Discharged Cured . . .	15	13	28
Died	6	14	20

From these data it appears, not only fewer female patients left the asylum convalescent, during last year, but the amount of deaths, amongst that class, likewise predominated considerably. This peculiarity in the above report becomes more remarkable, seeing the result is somewhat different from observations made elsewhere. However, the statements now recorded, may be perhaps exceptional, as Dr. Dumesnil's experience, during the present year, indicates that the proportion of patients discharged cured, will be larger than in the previous season. This inference he based upon the circumstance of

more recent cases of insanity having been received, during the present, than the past year, when the aggregate number of epileptic and incurable lunatics admitted were much more numerous. In corroboration of such remarks, and as otherwise interesting, it was further stated that, a male patient had been recently discharged cured, after suffering, almost every ten days, severe attacks of epilepsy. Besides this fact, two epileptic men ought likewise to be mentioned, who had remained totally free from that terrible malady; one during three, the other about two years consecutively.

The various court-yards of this asylum are open, airy, well ventilated, cheerful, and spacious. The dormitories, like many others recently built throughout France, seemed of a superior description; and windows being on each side, they had by no means a sombre aspect. The bedsteads were all of iron; but being rather numerous, in various sleeping apartments, the patients there appeared too much crowded.

Being constructed upon sloping ground, several divisions of the asylum hence became elevated above the portion immediately adjoining; whereby, the second story of one building seemed, in some places, almost on a level with the basement of its adjoining dormitory. Considering inmates of one court-yard could easily observe residents in the neighbouring enclosure, this feature was highly objectionable, and detracted from arrangements which merited otherwise much commendation. Further, as one structure, when more elevated than another adjoining, may engender damp in lower portions, during rainy weather, similar to the Clermont asylum previously described, every institution containing numerous patients should therefore be always placed upon a nearly level foundation. Again, in each division of the asylum, open galleries have been constructed, where lunatics can take shelter against rain or sunshine, besides being thus enabled to pursue, in the open air, various occupations. These essential appendages are exceedingly convenient, since, however unfavourable the weather may occasionally prove, no inmate need ever be confined to close apartments during day-time, nor breathe a vitiated atmosphere.

Speaking generally, this establishment exhibited an aspect of tranquillity; the women being certainly rather quiet, although not so much as occasionally noticed elsewhere. Occupying insane patients, in some manual and varied employment, appeared a great object with the authorities; since, the more lunatics are allowed freedom, they will less likely become excited, violent, or dangerous. About half the entire number of inmates are usually occupied: the men at various employments, some in the gardens, in trades, or handicrafts, and so forth. The women were sewing, knitting, making and mending clothes, or busy in ordinary household occupations. Even amongst the agitated patients, I observed several females knitting stockings assiduously, notwithstanding their violent conversation and excited gestures. Hence, endeavouring to occupy the mind diseased through bodily labour, seemed constantly kept in remembrance.

No resident ever leaves this asylum to labour elsewhere; and as all are exclusively engaged on the premises, with the exterior they hold no communication. Being without any farm attached to the institution, those patients who are occupied out of doors, labour in the extensive gardens adjoining, which contain about twenty-seven acres. When perambulating the grounds, I noticed two or three parties of inmates busily employed; some in raising potatoes, others were making a new gravel walk, and several in ordinary horticultural occupations; both male and female patients being thus engaged.

Within the inclosure, a small river having been converted into a kind of pond, an excellent place for open-air bathing is thus obtained. Here, sometimes, forty male patients enjoy a cool dip, in the pure stream; whilst some even amuse themselves with swimming. Dr. Dumesnil approves highly of such an amusement amongst lunatics, and therefore he encourages its adoption

during fine weather; of course, taking care to have sufficient attendants always present. Indeed, this recreation is so much appreciated by many inmates that, to be allowed to bathe in the river, is often considered a special favour granted by the physician; whereas, being debarred is looked upon as a punishment. Besides conducing to cleanliness, cold bathing thus employed improves the physical health of various patients, and also seems to alleviate their mental malady. The female lunatics likewise possess an appropriate locality at another part of the river, where they bathe; and it was said, even swim occasionally. Being the only instance of river bathing, in the open air, permitted to insane patients, which has come within my immediate observation, I have consequently felt more desirous of noticing this system adopted at the Dijon asylum; believing it worthy of imitation, on Dr. Dumesnil's authority, who spoke favourably respecting the remedy, after considerable experience.

In addition to such an ample source of water, for open-air bathing, this most essential element is otherwise abundantly distributed to the various buildings; a further supply having been recently brought, at an expense of 26,000 francs, from high ground in the neighbourhood. Already, capacious pipes are carried up to every floor; and a large cistern being placed at the top of each flight of stairs, near the dormitory entrance, water for every purpose remains constantly accessible. Consequently, in the above respect, compared with other asylums throughout France, the Dijon certainly stands pre-eminent. Water being now so plentiful, one of the proposed ameliorations, which will be soon commenced, is a new bath-house; since the present building has become altogether inadequate; more particularly, while bathing is held by French physicians in high estimation as an efficacious remedial agent, during the treatment of insanity.

Other improvements are likewise in contemplation; and so soon as these are completed, the classification of patients will be further extended. Compared with more ancient establishments, the dormitories of the Dijon asylum are infinitely superior; nevertheless, in some respects, the new apartments and cells for secluding excited patients appeared not so good as those of a similar description at Châlons. However, the entire structure is otherwise excellent; and having windows on each side, the apartments seemed cheerful, well ventilated, and salubrious. In addition to these important requisites, the dormitories being all without iron bars, whilst they had no prison-like appearance, although light wire trellises were placed outside, to prevent accidents, the accommodation was altogether unexceptionable.

In consequence of the present residence for private patients being of limited extent, and as the authorities consider it very desirable to improve the style of these apartments, new buildings and flower gardens for that class of inmates are proposed; which, doubtless, will be provided. An official residence for the physician is also projected, when the last remaining portion of the monks' former dwelling will be entirely demolished. Another intended alteration ought not to be forgotten, seeing the change proposed must prove, for various reasons, both judicious and beneficial. I here allude to filling up a small lake or pond, in the adjacent lawn, where the holy fathers formerly preserved fish alive, and fattened them previous to cooking. The monks being ichthyophagists, according to common report, it consequently became a matter of much importance to all true Carthusians, if they could procure plenty of the finny tribe—savory and fresh, for daily consumption; since fish constituted their staple article of food. Hence, the lake or "piscina," in question. But times, as also many ancient customs, are now altogether changed; and this stagnant pool is no longer required for its original purpose. Nay, as such places engender damp, and often produce malaria, besides being dangerous appendages to a madhouse, the ground should be immediately converted into flower parterres, or covered with greensward; whereby, it would become an additional locality for recreation.

Retaining various agreeable reminiscences of my visit to the Côte d'Or asylum, and especially acknowledging the kindness I experienced from Dr. Dumesnil, during the many hours passed in his company, it ought to be added, in justice to the departmental authorities that, the institution they have recently erected, for affording relief to a most unfortunate class of their fellow creatures, is highly creditable, and has proved of great advantage to suffering humanity. There, as elsewhere, laudable efforts are constantly made to alleviate the afflictions of numerous persons who, in ages not very remote, were treated more like animals, than human beings, although endowed with life and all its wonderful attributes, however deficient they appeared in their mental faculties. At present, matters are greatly changed; and in the race of improvement prevailing throughout most parts of civilized Europe, towards ameliorating the lunatic's suffering condition, France has attained a highly prominent position, which other countries still lagging behind, in many important regards, would do well to imitate.

So much for the Dijon lunatic institution; about which I could easily add other observations: but refrain, lest the previous narrative should appear already sufficiently extended. However, before taking leave of the ancient capital of Burgundy—so remarkable for many interesting associations, beautiful promenades, and various ancient relics still extant, illustrating especially, for so early a period, really advanced civilization—I would allude to one circumstance that came under my observation as a traveller, which, although its effects may not act directly upon rational and responsible human beings, nevertheless still deserves incidentally a passing notice. The point referred to is therefore now detailed, by way of digression, notwithstanding it may appear to readers somewhat irrelevant, even while considerable physical suffering, if not disease, thereby supervened.

Feeling desirous of inspecting every interesting object deserving notice, in the former Burgundian capital, amongst the places I accidentally visited, when roaming about in search of old churches, and other remains of antiquity, chance led me to the cattle-market, near an old city gate. Being very soon after sunrise, the place was crowded, by both country and towns people; whilst much business appeared then transacting, relative to various objects, which seemed, at first sight, the carcasses of lambs and calves. These lay on straw, in rows, and were arranged much in a similar manner as dead geese and chickens are placed in the shops of London poulterers. At first, I concluded this locality was for selling dead, not animated creatures. However, to my great surprise, on examining several animals, then stretched on the cold ground, motionless, and scarcely appearing to breathe, they were actually living calves, benumbed, and almost in a state of asphyxia. The four feet of all were firmly tied together by strong ligatures, whilst a rope was also around the neck of each; whereby, these helpless sufferers could neither move, nor change position. Indeed, they really appeared more dead than alive, in consequence of having remained in this tortured condition, during many hours, subsequent to leaving their native village folds. Upwards of a hundred tormented calves and lambs were subjected to this unfeeling treatment, which is universally practised at Dijon; and a bystander then admitted, in answer to my inquiries, that three, or even four hundred young calves were sometimes similarly tortured. When any bargain was concluded, having first made a mark with scissors, which also drew blood in some instances, the butcher now grasped the cord attached to the animal's neck, whilst an assistant took hold of its feet with one hand, and wound the pliant tail round his other; whereupon they tossed their dumb victim, by an united effort, into a cart, in which it was carried off for sacrifice at the city *abattoir*.

The atrocities often ascribed to inferior Smithfield functionaries are certainly bad enough, and should be suppressed; but I much question, if even in

that blood-stained spot, any sentient beings were ever systematically treated, after the manner now described as common in the Dijon calf-market, and at other places according to report. Such cruelties must be abated; seeing, the treatment thus inflicted upon living creatures, endowed with acute physical sensations, is unjustifiable, besides being highly injurious to meat intended for the food of man. On that account, irrespective of much higher motives, the barbarous custom here condemned ought entirely to cease, wheresoever it may actually prevail.

MARÉVILLE ASYLUM.

This extensive public asylum was originally founded as a pest-house, in 1597, by a young lady named Arne Feriet; for which specific purpose, the institution continued appropriated during forty years afterwards. Subsequently, it became a mendicity dépôt, when not only lunatics, but *mauvais sujets* belonging to the district, were admitted. The place also served as a Bastille for the confinement of state prisoners, sent by *lettres de cachet*; whereby, these victims of tyranny were sometimes shut up for life, and often remained completely forgotten. From 1749 to 1794, the establishment was administered by a religious society denominated "*Les Frères de la doctrine chrétienne*." At the revolution, Government, however, materially altered its internal management, especially after 1794, when only insane patients were received; for which purpose it has been ever since appropriated. At present, the asylum admits indigent lunatics from five neighbouring departments,—namely, the Meurthe, Vosges, Moselle, Haute Saone, and Ardennes; besides which, the department of the Seine has always a hundred beds at the disposal of Parisian authorities. However, pensioners are received from any district, and some even belong to foreign countries.

Maréville is situated on the eastern declivity of a rising ground, which forms a kind of amphitheatre open at one side, and nearly a league distant from Nancy, the ancient capital of Lorraine, but now chief town of the Meurthe department. Nancy contains 36,000 inhabitants, and is truly one of the prettiest provincial cities in all France, on account of the width and regularity of its streets, besides various beautiful public buildings, whereby, it deserves this well-merited distinction. The palaces, numerous triumphal arches, and other interesting objects ornamenting this city, ought certainly to be inspected by all travellers, whether professional, or mere seekers after novelty. Amongst the different *notabilia* deserving inspection, the most remarkable were either constructed, or greatly embellished by Stanislas de Lescynski, ex-king of Poland, who had retired thither, after abdicating the elective Polish crown, although he still retained his hereditary territories and title, as Duke of Lorraine and Bar. This eminent patron of arts, sciences, and literature died in 1766, having been accidentally burnt to death by his clothes taking fire, whilst quietly sitting in an apartment of the palace. To commemorate the many benefits conferred on his native country, by this accomplished prince and ex-sovereign, a magnificent monument was subsequently erected in the modern Place du Peuple, but *ci-devant* "*Royale*!"

The road leading from Nancy towards Maréville was interesting, as it passed over the battle-field in which Charles, "the Bold," Duke of Burgundy, sustained a complete defeat in 1477, when besieging the city, and where he afterwards lost his life by being drowned in an adjoining marsh. Before approaching the asylum, its numerous buildings seemed picturesque objects in the distance; and on drawing near, various anticipations already figured themselves in my imagination, which were fully confirmed by subsequent personal observation.

The medical staff of this asylum consists of a chief physician—Dr. Morel de Gany, most favourably known, not only in France but throughout Europe, by his various publications; also an assistant-physician—Dr. De Roche, and three

internes, with one pharmacien. To these resident officers the present director may be justly added, seeing he is a gentleman of celebrity and great reputation, namely—Dr. Renaudin, who was formerly chief medical superintendent of another public lunatic asylum, besides being the author of various valuable works upon mental diseases and the management of insane institutions.

On the day of my visit to Maréville, the total insane residents amounted to 876, of whom 471 were males, and 405 females; amongst these, however, 117 were classed as pensioners, 77 being male, and 40 female patients. The sum charged for such cases varied from 400 to 1000 francs per annum, with 600 francs additional, when a special attendant was required for the service of one individual. At least four-fifths of the resident lunatics were incurable, some having been even forty years insane. According to the registers, 34 inmates, or 28 men and 6 women, laboured under general paralysis; 60 were epileptics, 32 being males, and 28 females; whilst the entire population only contained about 50 dirty patients. Completely at variance with the statistical statements obtained at several asylums previously inspected, the figures now recorded show that male lunatics under treatment in Maréville exceeded the proportion of females by 66, thus giving an excess of 13·58 per hundred in the former sex. The above fact is important, as it apparently indicates greater liability to insanity amongst the male than female population; which conclusion becomes more instructive, seeing it applies, not to any particular district, but to the five departments from whence indigent insane patients are usually sent to this public establishment. Reasoning, likewise, from other data equally authentic, it may be further stated that, mental diseases occur much more frequently throughout urban than rural portions of the community, not only in Lorraine, but its adjoining provinces; the proportion being nearly double the former, compared with the latter class, especially in the Meurthe department, where, it is reported about one mad person is met with, in country districts, for every 1468 inhabitants: whereas in Nancy, the ratio actually reaches to one lunatic for every 500 inhabitants.

During 1850, the following official figures indicate the movement of patients at this public asylum :—

	Males.	Females.	Total.
Admitted	108	90	198
Discharged cured . .	24	17	41
Died	44	40	84

Besides these numbers, it should be added, that nineteen patients escaped during the year, of whom fourteen were subsequently brought back to Maréville; and further, amongst the deaths enumerated, two suicides are included, one being a male, and the other a female patient.

In order to illustrate several characteristic yet prominent features manifested by various cases enumerated in the preceding statement, I have constructed, from authentic returns—obligingly supplied by MM. Renaudin and Morel, the subjoined tabular analysis of the mental disease which affected lunatics admitted, also the number discharged convalescent, and lastly, the deaths recorded, during twelve months. From these details it will be readily perceived that, in numerous patients placed under treatment, slight hopes could be reasonably entertained of permanently ameliorating their mental malady, whilst recovery was nearly impossible.

Synopsis of the Diseases, Admissions, Cures, and Deaths, recorded amongst Insane Patients, at Maréville, during 1850.

TYPE OF DISEASE.	ADMITTED.			CURED.			DIED.		
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
Acute Mania	31	23	54	18	10	28	10	5	15
Chronic Mania	9	4	13	2	—	2	4	3	7
Intermittent Mania	5	2	7	—	—	—	—	1	1
Moral Mania	5	1	6	—	—	—	—	—	—
Lypemania	8	20	28	2	7	9	1	2	3
Monomania	5	—	5	2	—	2	—	—	—
Hypochondria	3	—	4	—	—	—	—	—	—
Dementia	6	8	14	—	—	—	6	14	20
Paralysis	11	7	18	—	—	—	8	7	15
Epilepsy	10	4	14	—	—	—	9	4	13
Idiots and Imbeciles	15	20	35	—	—	—	5	3	8
Suicides	—	—	—	—	—	—	1	1	2
Totals	108	90	198	24	17	41	44	40	84

Restricting my present remarks to the four subdivisions which embrace dementia, paralysis, epilepsy, and idiots with imbeciles, it will be observed that, eighty-one persons, or nearly forty-one per cent. of the whole number admitted, were afflicted with the above almost incurable types of insanity. Further, no patients classed under any of these denominations left the asylum convalescent, whilst fifty-six deaths, or 66·66 per cent. of the eighty-four fatal cases reported, were of that description. Again, respecting the amount of cures and deaths recorded in other varieties of mental disease, it will be also perceived, although the largest proportion of recoveries occurred in persons affected with acute mania, the ratio of mortality also proved considerable in that division; both results being more numerous amongst male patients. The most fatal malady was, however, dementia, by which inveterate disease twenty deaths supervened, and by paralysis fifteen; thus showing that, thirty-five fatal cases, or 41·66 per cent. of the mortality, from all causes, was produced by these two incurable forms of insanity. Typhoid fever having attacked various epileptic male patients, in consequence of the dormitory they then occupied being in an unhealthy condition, that circumstance tended to augment the number of fatal cases amongst these afflicted inmates. This part of the building being now demolished, the alterations will doubtless be productive of improved salubrity henceforth in that division.

As many insane residents at Maréville belong to the middle classes of society, it will be interesting to state that, thirty-nine new patients of the above description were admitted during last year; eleven were discharged cured, eight left the institution prior to the complete restoration of their mental health, whilst nineteen died. This constitutes a large proportion, and in some respects seems a high rate of mortality, considering the number of pensioners usually resident; from whom 56,837 francs were received during last year for their support and medical treatment in the establishment.

Another feature also of importance, regarding the patients admitted during 1850, should not be overlooked, namely, the particular season when mental diseases most frequently prevailed throughout the various districts of this part of France. Such an inquiry is instructive, seeing several practical deductions may be based upon correct statements. For example, during the first six

months of last year, eighty-seven lunatics were admitted into Maréville; whereas, in the remaining two quarters they amounted to 111 patients. From these data it may be fairly inferred that, insanity is more frequently developed during warm weather than at any other season: which result entirely coincides with conclusions elsewhere deduced, besides being supported by general experience.

Maréville being one of the largest public lunatic asylums in France, any analysis illustrating the various forms of mental disease affecting its numerous population therefore becomes exceedingly interesting: not only on account of many important details thus brought forward, but also in consequence of such statements enabling investigators to arrive at correct notions, respecting the most common varieties of mental disease prevalent in particular provinces. With that object, the subjoined table has been compiled from official documents, to which I would now direct attention before deducing any conclusions.

*Form of Disease affecting the 809 Insane Patients resident at
Maréville, in January, 1851.*

DISEASE.	M.	F.	Total.	DISEASE.	M.	F.	Total.
Acute Mania . . .	22	20	42	Brought up . . .	289	276	565
Chronic Mania . . .	75	96	171	Epilepsy	35	21	56
Intermittent Mania . . .	15	8	23	Paralysis	14	6	20
Moral Mania	13	6	19	Idiots	28	10	38
Lypemania	29	41	70	Imbeciles	44	48	92
Monomania	20	4	24	Weakminded . . .	7	7	14
Hypochondria	5	1	6	Simpleminded . . .	13	7	20
Dementia	110	100	210	Crétins	2	2	4
Carried up	289	276	565	Totals	432	377	809

Dementia constituted the most common variety of mental maladies, seeing upwards of one-fourth of the insane population, or 210 persons, are enumerated under that category. Chronic mania appears next in amount, 171 cases being included in that division. Then imbecile patients, of which 92 examples are recorded; whilst there were 70 cases of lypemania, besides other varieties, although much less numerous. In addition to the particulars now detailed, it is also instructive to state that 103 individuals, or one-eighth of the aggregate number, suffered from goitre along with their mental affection; 88 had enlarged necks, 57 exhibited varicose veins, 28 were both deaf and dumb, in 27 hernia existed, 14 could not hear, and lastly, 39 helpless human beings were constantly confined to bed by physical infirmities. Notwithstanding these discouraging obstacles towards ameliorating the afflicted condition of numerous inmates, in consequence of improved sanatory measures recently adopted, by abating several insalubrious influences, establishing schools, and especially the judicious application of bodily labour, great benefits have supervened. Besides such adjuvants in treating cases of mania, from the extended development of moral management, of late very perseveringly pursued at this asylum, the best results have followed: as well in reference to the physical condition of numerous inmates, as also in regard to their mental faculties. Through these appliances, the general aspect of this institution has recently become greatly ameliorated, and the lunatic's position considerably improved.

After minutely inspecting the various court-yards, dormitorics, and gardens of Maréville, I can justly say, the general appearance was satisfactory, and very creditable to its executive. The tranquillity prevailing amongst so many

insane persons, with their orderly conduct, attracted attention; and the bodily health of most inmates was evidently good. Numbers were employed in the gardens, and others assisted ordinary workmen in building several new constructions. Some worked at trades, handicrafts, and in household occupations; whilst the various duties necessarily required in such a large aggregate population proved a fertile source of employment. Upwards of half the patients were usually occupied; Dr. Morel being a strenuous advocate for employing lunatics in physical labour, according to their individual capabilities. Indeed, permission to work is even occasionally considered a favour granted to particular maniacs, who join other inmates, and thus gain the means of augmenting present comforts, besides contributing towards their future welfare. On the other hand, to debar such parties from joining fellow work-people is often deemed a punishment.

No farm being attached to this asylum, out-door labour is confined to the gardens adjoining, which are, however, extensive, and will be soon considerably enlarged. Further, new terraces for flowers and shrubbery, with additional gravel walks, being now in course of construction, ample opportunities are thereby afforded for employing a very large number of labourers. Besides, as various old buildings with the ancient cells, or rather dungeons, where furious lunatics were formerly immured, are also about to be demolished, in order to construct new but much improved dormitories, the extensive alterations contemplated will supply abundant employment, during many months consecutively.

Consistently with the principles actuating Dr. Morel, when treating an insane patient committed to his charge, it may be anticipated that, very little personal coercion is employed in the populous asylum of Maréville. Such is the fact; and it consequently becomes very gratifying to state, amongst the whole 471 male patients under treatment, not one was restrained in any manner. Of the 405 female lunatics also resident in the asylum, only three were under partial physical coercion; not, however, with camisoles, but simply by means of the sleeves of their ordinary gowns being tied together, which were made rather long for that purpose. By this mode, the party was prevented from tearing her own clothes, or annoying other patients, to which she happened to be predisposed. It should be likewise mentioned in explanation that, all three were nymphomaniacs, and became very easily excited on the slightest provocation. The strait-waistcoat, so common in many French asylums, is here very seldom employed; a great object kept constantly in view being to avoid any kind of personal coercion. Dr. Morel believed camisoles often exasperated patients, instead of rendering them tranquil, and hence, he considers it far preferable to adopt other methods of management. These doctrines are sound, as also confirmed by experience; and therefore cannot be too extensively disseminated, or carried over zealously into practice.

Matters were, however, very different in former years, and previous to the period when Dr. Morel became attached to the institution; nay, even so late as 1847, it was stated that, sometimes thirty lunatics might be seen physically confined in one of the ancient apartments, which now remain without a single occupant. An old dungeon—dark and dismal, was subsequently pointed out for my inspection, where dangerous maniacs were formerly placed, although often left entirely naked. These unfortunate human creatures always slept upon straw; and as the floor of this prison-like apartment was under ground, the locality seemed wholly unfit for any purpose, excepting as a store for lumber or firewood. Fortunately, the practices here recorded as characteristic of by-gone times, have now become matters of history: and are merely alluded to in these pages, in order to indicate the great advances recently accomplished in the management of lunatics at Maréville, through improved knowledge, aided by advanced civilization.

Various examples might be here quoted, to prove the efforts constantly made by Dr. Morel to discontinue restraint, wherever camisoles had been pre-

viously employed. One illustration will, however, suffice. The case was that of a male patient, who often became so excited that a strait-waistcoat seemed necessary, in the opinion of former attendants, as he was considered very mischievous, according to statements made on his arrival. Having taken proper precautions, lest any accident should happen, and after removing every ligature wherewith the maniac was confined, Dr. Morel put a pickaxe into his hand, before joining several labourers at work in the garden. Instead of attacking any bystander, as some expected, this liberated patient immediately ran towards the other workmen, and at once began to use his pickaxe assiduously, appearing at the same time delighted with such a novel occupation. Ever afterwards, although previously violent, the lunatic was often anxious to be employed; whereby he became tranquil and industrious, being altogether the reverse of his former excited condition.

Besides occupation, amusement and instruction likewise constitute essential parts of the system pursued at Maréville. Amongst the appliances frequently called into requisition to carry out these views, music—both vocal and instrumental—occupies a prominent place. Concerts are consequently held, at which patients of both sexes assist: when not only pleasure is imparted to the audience by these performances, but beneficial results seemed often thereby produced upon individuals. Occasionally, also, parties of inmates promenade in the adjoining fields; whilst others enjoy pastoral pic-nics, held in the neighbouring forest. Respecting these recreations, it is pleasing to mention they are much appreciated by the parties partaking, and have never led to inconvenience. Again, on saints' days, but particularly during Sundays, many patients assemble in the asylum chapel, where 700 lunatics, male and female, sometimes meet together, like any ordinary congregation. No bad consequences follow such large assemblages; indeed, the service, in which the lunatics are then engaged, frequently proves decidedly beneficial. Even dirty and epileptic patients attend on such occasions, but these inmates always occupy a side division appropriated for their special reception; so that, should untoward occurrences supervene, the general congregation shall not be disturbed in their devotions.

Having visited several refectories, while numerous parties were at dinner, besides the tranquillity then apparent, even amongst dirty or epileptic patients, and those classed as excited lunatics, it deserves being mentioned that, knives and forks were used almost universally. In one apartment I saw forty inmates at table, each having a napkin, with knife and fork, whilst all behaved like persons perfectly sane. Even many female maniacs, who were, otherwise, often noisy and talkative, if not clamorous, then sat quietly during their repast. Such marked conduct is always satisfactory; since it clearly shows that some self-control has been already acquired over individual emotions, which often smooths the path leading to subsequent improvement, if not convalescence.

In consequence of many extensive improvements now in progress, inconvenience has occasionally arisen, by crowding patients too much together in particular dormitories. This result is, however, only temporary; and will soon be amply compensated by the greater comforts, as well as improved salubrity, which these alterations must inevitably produce. Very recently, a spacious new day-room has been opened in the female division, for dirty patients and their attendants. The accommodation afforded is excellent, and certainly merits every encomium which visitors have uniformly expressed respecting this building. The apartment is large and lofty; whilst the pretty flower parterres, and an airy courtyard, with open verandahs in front, where inmates may promenade under shelter during bad weather or sunshine, are certainly great acquisitions. Besides being, in various respects, pleasing to the eye, this division which contained many female lunatics affected with very severe forms, both of mental and physical disease, was really clean in appearance; indeed, could the term be justly applied to such a receptacle of human misery, it even looked cheerful.

Notwithstanding cholera prevailed in the immediate neighbourhood of Maréville, during 1849, and proved also very fatal at Nancy, no death by that epidemic was reported within its precincts. This remarkable exemption from a malady, whereby destructive effects were often produced in various French lunatic institutions, no doubt was mainly promoted through improved regimen, and efficient sanatory measures, instituted at this asylum by the executive: which tended to counteract any prevalent epidemic influence, and hence its recent immunity.

With reference to the bodily health of patients, although many lunatics were of advanced age, and also liable to various infirmities incident to indigent persons, the general health of most residents was, on the whole, satisfactory; whilst very few actually occupied the infirmary. Amongst the individuals recently under medical treatment, irrespective of any mental affection, one patient was pointed out, whose case deserves notice, on account of its successful termination, considering the original cause which placed the party in that division. This lunatic, then labouring under religious frenzy, swallowed a metal cross usually worn by ecclesiastics. On the accident being ascertained, purgatives were exhibited, the patient being also placed under strict regimen, and carefully watched; but nothing appeared until after the lapse of fifteen days, when he voided the missing cross. Every symptom produced, by the presence of this large foreign body within the alimentary canal having ceased soon afterwards, he left the infirmary convalescent. Although the preceding case was an instance of religious madness, that variety of mental disease is not of common occurrence in this part of France, especially if compared with the neighbouring province of Alsace, where it appears to be more prevalent. Farther, examples of erotomania are likewise less frequently observed throughout Lorraine, than in more southern provinces. On the other hand, insanity produced by intoxicating drinks seem by no means rare in this district; which opinion is, unfortunately, too well-founded, seeing this asylum recently contained numerous examples of that particular form of mental malady, designated dysomania.

According to statements given in a previous page, it may be observed that, goitre frequently affects the insane patients at Maréville. This fact becomes an interesting subject of inquiry; and four crétins being likewise reported as recently resident in the asylum, a few remarks on these affections cannot be held irrelevant: especially, as both prevail to some extent in the Vosges and Meurthe departments. Although rather common in particular localities, the ratio of goitreux complaints and crétinism appears greatest, amongst the population residing in the commune of Rosières, about twelve miles distant from Nancy. In this small town, situated at the bottom of a moderately elevated hill, in the midst of a rich fertile valley, open to the north, the east and the south, with vineyards on the west, and gypsum quarries or beds of rock-salt in its vicinity, 32 crétins and 240 goitreux were very lately found amongst 2250 inhabitants. Hence, the proportion of crétins was 1.42 per hundred persons living in the district; and 10.66 of the latter malady, or one in every nine-and-a-third persons actually resident. It is farther worth mentioning that, in the commune of Sainte Marie-aux Mines, situated in the Vosges mountains, containing 11,000 inhabitants, 111 idiots and 60 crétins were ascertained to exist, not long ago, according to authentic documents. The facts now stated indubitably prove goitre and crétinism to be common complaints throughout Lorraine, in which province both maladies have prevailed from time immemorial. Compared with other districts, crétinism seems more general in the two places just named, than throughout several countries hitherto considered peculiarly afflicted with that calamity. For instance, in the Canton de Vaud, the proportion of crétins is reported to be one case in every 163 inhabitants; and, although said to be more frequent in the Valais, it seems very doubtful if the ratio equals either that recorded at Sainte Marie-aux Mines, or Rosières.

The prevalence of goitre and crétinism in the former place has been ascribed

to the severity of its climate, especially to long and rigorous winters. Here, atmospheric variations are often so sudden that, extreme heat and great cold alternately occur during twenty-four hours; and as the town lies enclosed between two mountain chains, on an elevated position relative to its neighbouring plain of Alsace, there exists very little communication with adjoining districts. Instead of being robust, the labouring classes frequently seem debilitated in constitution, generally endued with lymphatic temperaments, and exhibit a scrofulous diathesis, whilst premature old age soon supervenes. It also deserves mention that, in this secluded spot—still peopled by descendants of the aborigines of Lorraine and Alsace, of refugees of the edict of Nantes, as also of German emigrants—the characteristic types of each race may be even distinguished amongst the present generation. Although some writers have attributed the existence of goitre, in certain localities, chiefly to the water used by the inhabitants; to ascribe its appearance to one specific cause, is equally erroneous and unphilosophical. Defective nutrition, badly ventilated lodgings, humidity arising from confined situations, the absence of sunshine with its vivifying influence, and the constant neglect of intellectual culture, all tend to augment these complaints amongst predisposed populations. Therefore, considering the great prevalence of goitre and crétinism in the Meurthe and Vosges departments, besides the Upper and Lower Rhine, it cannot appear surprising if Maréville contained four crétins last January, and so many as 105 goitreux patients. Nevertheless, it must be highly satisfactory to know that, both these affections appear to have decreased in number, consentaneous with the advance of civilization.

During former years, goitre was more common in this asylum than recently; and even cases then appeared to be actually generated within its precincts. At present, similar instances never supervene; nay, parties with large necks on entrance have occasionally exhibited considerable amelioration in the size of such glandular swellings, after residing for some time at the institution. Those results seemed mainly owing to the improved physical comforts which such individuals obtained, being altogether different from their previous indigent condition. Instead of bad food, damp, ill-ventilated houses, or miserable hovels, to speak more correctly, where they lived immured in filth, and devoid of all mental education, these unfortunate members of the great human family became inmates of an institution, whereby they were not only much better fed, but generally placed in a superior physical and moral condition. Contrasted with former privations, it is reasonable to conclude these maladies should diminish amongst residents under such circumstances. Indeed, Dr. Morel's ample experience fully confirms the correctness of every remark previously made, respecting the prevalence of goitre and crétinism, throughout this part of the French republic; in which more persons are said to be afflicted by these maladies, than perhaps exists in any other country of Europe, not even excepting the Valais canton in Switzerland.

Irrespective of the numerous and varied improvements recently effected at Maréville, besides those still in progress, of which many have been greatly promoted by the director, Dr. Renemdin's administrative energy, before concluding this report, a new and important phase in the asylum must not be overlooked, viz., Dr. Morel's lectures on mental diseases, recently delivered to pupils attending the Nancy school of medicine, as also his professional friends. The course was assiduously attended by about thirty auditors on an average: and every discourse being practical, they were much appreciated; the more so, seeing the lecturer appeared deeply versed in his subject, at the same time the principles advocated were sound, whether in regard to administering lunatic asylums, or the treatment of insanity.

During the delivery of these lectures the greatest decorum invariably prevailed, even when any insane patients were introduced to the assembled audience, by way of illustrating various types of mental disease. The whole proceeding was altogether so satisfactory that, Dr. Morel merits, not only much praise in

thus disseminating practical knowledge, based upon experience, respecting insanity, its symptoms, and treatment: but his name should be associated with those deservedly distinguished physicians, Ferrus, Leuret, Botex, Falret, and Baillarger, who have become honourably known for the successful efforts they have made in France to diffuse, amongst their countrymen, correct views regarding the nature, pathology, and hygiene of this important department of medical science.

(To be continued.)

To our Correspondents.

REVIEWS of Sir James Eyre's interesting little volume, *The Stomach and its Difficulties*; Colquhoun's *Magic Mesmerism*, &c.; Dr. Dickson *On the Establishment of Public Hospitals for the Insane of the Middle and Higher Classes*; Dr. Cumming's *Notes of Lunatic Asylums in Germany*; reports of several County Asylums, with numerous other notices of works and pamphlets, are unavoidably postponed until our next number, in order to enable us to publish a full report of the inquiry into the alleged Lunacy of Mrs. Cumming. We have also been compelled to lay aside, for the present, several important medico-legal investigations involving questions of Insanity, and an elaborate report of *Legal Cases in Insanity*, argued before the Lord Chancellor and the Lords Justices, prepared expressly for publication in this Journal. We would again intimate to our American correspondents, that we have been compelled, in consequence of the amount of postage demanded, to refuse several pamphlets forwarded to us from the United States. The last number of the *American Journal of Insanity* has not reached us. Several correspondents have addressed us in relation to Dr. H. Monro's suggestions for improving the condition of private asylums. We have no hesitation in admitting that our views are at variance with those promulgated by the author of the papers referred to. In our next number, we shall have an opportunity of stating, in detail, our objections.

DR. WINSLOW'S LETTSOMIAN LECTURES,

- (1) ON THE PSYCHOLOGICAL CHARACTER OF THE PHYSICIAN,
- (2) ON THE MEDICAL TREATMENT OF INSANITY,
- (3) ON MEDICO-LEGAL EVIDENCE IN CASES OF INSANITY

Will be delivered at the Rooms of the Medical Society of London, George-street, Hanover-square, on the 7th, 14th, and 21st of April.

THE CASE OF MRS. CATHERINE CUMMING.

WE append to this number of our Journal an elaborate, and we may add, faithful report (from the shorthand writer's notes) of perhaps one of the most important lunacy cases which has been made the subject of judicial investigation in this country for the last fifty years. We have been anxious to publish a verbatim report of this Commission of Lunacy, not only on account of the deep interest, both public and professional, attached to the case, but in consequence of the many important medico-legal points involved in the inquiry. As this trial has attracted the attention of the legislature, and is likely to give origin to some important modifications of the law, we consider it our duty to place the general and professional evidence on both sides at once before our readers, in order that they may be in a position to form their own unbiassed and unfettered judgment as to its merits. As the question of the right of "traverse" is still *sub judice*, we purposely abstain from making any comments upon the evidence adduced and facts disclosed during the inquiry. The subject will be considered in all its details in our next number. We present this trial, extending over eleven sheets, to our readers without any additional charge. To accomplish this, we have reluctantly been compelled to put aside several valuable articles of great practical interest, all of which will appear in our July number, with copious analyses of several English and foreign works, including both the German, American, and French journals of medical psychology.

THE
IMPORTANT LUNACY CASE
OF
MRS. CATHERINE CUMMING,

*Tried before FRANCIS BARLOW, Esq., one of the Masters in Lunacy,
and a Special Jury,*

AT THE EYBE ARMS, ST. JOHN'S WOOD,

JANUARY 7TH TO 24TH, INCLUSIVE,

1852.

Counsel for Petitioners—Sir F. THESIGER, M.P., and — PETERSDORFF, Esq.

Counsel for Mrs. Cumming.

EDWIN JAMES, Esq., Q.C.; Mr. Serjeant WILKINS; F. SOUTHGATE, Esq.

Solicitor for Petitioners—Mr. JOHN TURNER.

Solicitors for Mrs. Cumming—Messrs. ROBINSON and HAYNES.

General Witnesses for the Petitioners.

Thomas Smith, Clerk to Commissioners of Lunacy.
R. W. T. Lutwidge, Secretary to Commissioners.
H. S. Law, Solicitor to Commissioners.
Elizabeth Brown, servant.
Susan Boyd, ditto.
Harriet Brown, ditto.
Sarah Allsopp, ditto.
George Vernon Driver, surgeon.
Thomas Ince.
Mr. Dangerfield, solicitor.
Winifred Todd, servant.
Mary Rainey, ditto.

James Richards, policeman.
Arthur Parsons, ditto.
Eleanor Hickey, servant.
Mary Ann Hickey, ditto.
Ellen Thompson, ditto.
Simeon Thorne, solicitor.
Nathaniel Webb, land-agent, Newport.
Mrs. Catherine Ince.
Daniel Pilditch, builder.
Benjamin Bailey Hooper.
John Turner, Solicitor for the Petitioners.
James Johnson, policeman.

Medical Witnesses.

George Cornelius Johnson, Esq., surgeon.
Thomas Wilmot, Esq., ditto.
William Bloxam, Esq., surgeon, to produce books of the late Dr. Millingen.
Sir Alexander Morison.
Dr. William King, of Brighton.

Dr. Monro.
Dr. W. V. Pettigrew.
Dr. Hugh W. Diamond.
Dr. J. G. Davey.
Dr. C. J. B. Aldis.

General Witnesses for Mrs. Cumming.

Francis Farrer, solicitor.
Edward Henry Hawkins, a clerk.
Joseph Charles Evans, servant.
Ann Evans, ditto.
John Thomas Stocken, hair dresser.
Matilda Cramer, shopwoman.
Elizabeth Buck, servant.
John Green, policeman.
John James Martin, servant.
John Green, coachman.
Joseph Haynes, solicitor.
John Carlon, ditto.
Francis Francis, coachman.
William Gaywood, ditto.
Elizabeth Clarke, servant.
George Clarke, ditto.
Rev. Chancellor Williams.
Lewis Edmonds, alderman, of Newport.
Thomas Evans, land-agent, dissenting minister.

Thomas George, farmer.
Esther Blake, servant.
Richard Mullock, alderman, of Newport.
Miss Mary Hunt.
Mrs. Eliza Rosina Cooke.
Mr. Leopold Fischel.
James Kell, coachman.
Charles Crane, servant.
Mr. Stephen Hutchinson.
Mrs. Sarah Hutchinson.
Robert Croke Romsey, solicitor.
James Oldfield, a clerk.
Mr. Charles Ellis.
Albina Watson, servant.
Mrs. Mary Moore.
Jacob Hibbert, builder.
Frederick Lomax, auctioneer.
William Wright Lucking, ditto.
George Chadwin, vestry clerk.

Medical Witnesses.

Dr. Robert Barnes.
Dr. R. J. Hale.
George Simpson, Esq., surgeon.
Dr. Caldwell.
Walter J. Bryant, Esq., ditto.

William Henry Hodding, Esq., surgeon.
Dr. Forbes Winslow.
Dr. Samuel Ashwell.
Dr. John Conolly.
Dr. F. Winslow (recalled).

THE

CASE OF MRS. CATHERINE CUMMING.

THE CHARGE OF MR. COMMISSIONER BARLOW.

MR. BARLOW stated that the jury were directed to inquire whether Catherine Cumming, widow, now residing at 69, Queen's Road, St. John's Wood, was a lunatic, or enjoyed lucid intervals, so that she was not sufficient for the government of herself and her property; and if so, at what time, and after what manner, and how—that was the particular part of the Commission to which he wished to draw their attention, because it was upon that that they would be asked for their verdict.

The Commission also directed them to inquire into her property and her relations; but upon these two points their verdict was not required. The inquiry was limited to what they thought her present state of mind.

By the terms of the Commission, they were directed to inquire whether Mrs. Cumming was or was not an "idiot, lunatic, or of unsound mind." In law, an idiot, strictly speaking, was a person who, from the time of his birth to the present period, never enjoyed intellectual faculties. A person of unsound mind implied a person who had had the usual intellectual faculties, but from some cause had lost them. The word "lunatic," implied a person who might or might not recover his intellects at particular periods; whereas the phrase, "unsound mind," implied a continuation of the loss of faculties. But the simplest phrase was the best, and he should hereafter put it to them whether Mrs. Cumming was now a person of sound or unsound mind.

The jury would therefore have to determine, from the evidence laid before them, whether this person was now of sound mind and competent to take care of herself and her property, or whether she was of unsound mind and incapable. That was the first issue. If they came to the conclusion that she was a person of sound mind, their duty would end there; but if they came to the opposite conclusion, then there would be a second question put to them—viz., from what particular day they found she had been in that state; they would also have to observe whether, during some particular period, she had not had some lucid intervals, that she had perfectly recovered her intellectual faculties. The Commissioner then explained that the terms of the verdict must be in accordance with the principles adverted to.

The object of the inquiry was, that the protection of the law might be thrown round this lady if she was in that state in which she was alleged to be by the promoters of the Commission.

It was utterly impossible to lay down any definition of what constituted unsoundness of mind; the jury were called upon to determine whether or not in their opinion this lady was of sound or unsound mind: they would consider whether the facts proved before them led them to the conclusion that this lady was of sound or unsound mind.

The leading characteristics of an unsound mind, were prostration of the intellectual faculties on the one hand, or delusions on the other; and they were to ascertain and determine whether the different acts proved before them, and what they themselves saw in the lady herself, led to one conclusion or the other. He should have to require the unanimous opinion of at least twelve of the jury before they could find a verdict that this lady was of unsound mind. The Commissioner adverted to the presence of counsel on both sides; that was very satisfactory, inasmuch as it relieved them from much responsibility. He need not tell them, as practical men, that it very often happened that the most conclusive evidence was that which was obtained by seeing the alleged lunatic; they were entitled to see her, and to put such questions as they might think proper (suggesting that they had better be put through himself).

The Commissioner stated for the information of counsel, that when there was no counsel for the alleged lunatic, it was his custom to see the party before he went into court. He did not think it necessary, on the present occasion, as counsel appeared for her. He had, however, been to the house, as he had been informed by high authority that she was in a delicate state of bodily health; and it had been suggested as very desirable that she should be excited as little as possible; and it was not quite clear that she would be able to come personally before them. He had left a message for her that she was to do as she thought fit as to coming into court. He had stated that he was quite sure some of the jury would go and see her if she did not come into court. He thought his so doing would relieve her from some anxiety.

OPENING SPEECH OF SIR F. THESIGER.

Sir F. THESIGER then opened the case in support of the petitioners for the commission, and observed that the jury were assembled to inquire into the state of the mind of a lady of the advanced age of 73 years. In the discharge of his duty he felt it right to give them a simple narrative of the facts and circumstances of the case, abstaining from all comments until the whole evidence was before them. The unfortunate subject of their present inquisition was the only daughter of a Mr. Thomas Pritchard, a gentleman possessed of property in Wales. Under a marriage settlement of 1776, that property was settled upon himself for life, and afterwards in such a way that Mrs. Cumming, being his only child, would be entitled to an absolute interest in the estates. In 1808 Mrs. Cumming married a gentleman, who afterwards became a captain in the army, and in 1809 another settlement was made of the property—viz., to himself (the father) for life, and then to such uses as he should by deed or will appoint: Mrs. Cumming had by the same deed secured to her an annuity of 200*l.* during the lives of her father and mother, and the life of the survivor of them; and as, inasmuch as she was married, it was impossible that arrangement could be carried into effect without a fine being levied and a recovery suffered by her, she accordingly entered into a covenant that those instruments should be executed by her. The father of the lady died in 1811, having by his will, made in 1810, left all his property to trustees in trust to pay the rents and profits to his wife for life, and after her death to Mrs. Cumming; and upon her death the property was to be divided among her children. The jury would bear in mind the distinction between the settlement of the property under the original settlement of 1776 and the subsequent settlement of 1809—in the one case Mrs. Cumming would have the absolute interest in the Welsh property, while in the other case she would only have a life interest. There were two children of the marriage of Captain Cumming—both daughters. In 1833 the youngest daughter, Catherine Elizabeth, who was always the object of her mother's affection, married, with the approbation of her mother, a Mr. Ince, a surgeon. In 1837 the eldest daughter, Thomasine Catherine, married a person of the name of Hooper, a clerk in the Custom-house. This was without the approbation of Mrs. Cumming; but soon after the marriage she became reconciled to it, and received her daughter and son-in-law, and afterwards their children, with great affection; and ultimately appointed Mr. Hooper her agent and collector of her rents. This was the state of the lady's family in 1846. Should the jury consider Mrs. Cumming to be of unsound mind, it would be necessary for them to determine from what period that unsoundness had existed. It was not his intention to carry them back beyond the month of May, 1840. It might incidentally appear that prior to that time symptoms of derangement had taken place. She occasionally exhibited an alienation from her daughters: there was an intermission of all natural affection towards the members of her family, but that, he understood, was one of the commonest forms of insanity. In 1840, when Mrs. Cumming was living in Belgrave-place, Pimlico, with her husband, who was then of the advanced age of 88 or 89 years, so many instances of delusion manifested themselves that there existed no doubt whatever that her mind at that period was in an unsound state. However painful and disgusting it might be to enter into details, it would be necessary that he should characterize those delusions. Although her husband was of the advanced age he had described, and also in a state of great bodily infirmity, still Mrs. Cumming was possessed with a notion that he was continually having intercourse with her female servants and other persons who came to the house, and that she herself had on more than one occasion caught him in the fact. It was physically impossible that anything of this kind could have taken place, and, although

she was reasoned with upon the subject, nothing could detach her mind from the persuasion of it. This led to violence of conduct towards her husband, which rendered it necessary that he should seek protection from the members of his family. Mrs. Cumming at the same time conceived a very strong aversion to both of her daughters. She believed they had conducted themselves improperly, and that they were in the habit of robbing her. This feeling of aversion extended itself to her grandchildren, although of tender age. She would often fall on her knees and call down the curse of God upon them. She believed that Mr. Ince had robbed her, and had destroyed one of the children of Mr. Hooper for the sake of his property. She thought a Mr. Dangerfield had also robbed her of money. She became very filthy in her habits. She attached herself to cats and birds, and, her husband being in a very infirm state of health, she frequently attempted to starve him. Sometimes she would use personal violence towards him, so that ultimately, in May, 1846, he was compelled to find shelter in the house of his son-in-law, Mr. Ince. It was quite evident from all this that this lady was not capable of taking care of herself or property, and that it was necessary to have recourse to law to protect her and others from violence. Accordingly, under the instructions of Captain Cumming, her husband, proceedings were taken to remove Mrs. Cumming to an asylum. She was conveyed to York-house, Battersea, where she was seen by two medical men—Mr. Wilmot and Mr. Johnson—who signed a certificate as to her state of mind. She was also visited by two of the Commissioners of Lunacy on May 19, 1846, who came to the conclusion that she was decidedly of unsound mind. Pending that commission, Captain Cumming died. The proceedings having originally been taken with his sanction, they were continued by the family after his death. He mentioned this circumstance, because he understood that the aversion felt by Mrs. Cumming towards her daughters would be attempted to be justified on the ground of these proceedings having been taken against her by them. The inquiry was originally conducted by a gentleman of the name of Farrer, but the jury would find that another gentleman was soon after introduced, whose name would become familiar to them in the course of this investigation, a Mr. Robert Haynes, at that time an articulated clerk to a Mr. Robinson, but who was now that gentleman's partner. This firm was now conducting the present inquiry on behalf of Mrs. Cumming. An order was obtained for Mr. Robinson to appear in the former inquiry of 1846 for Mrs. Cumming, and under that order Mr. Robert Haynes attended the proceedings. But after three or four days, an arrangement was come to, which was agreed to by counsel on both sides. This agreement was a very important part of the case. The endorsement upon the briefs was this—

"Promoters to withdraw from further prosecuting this inquiry, stating that they had done so under an impression that it was desirable for all parties that an arrangement should be made; that an arrangement had been made that Mrs. Cumming should be immediately discharged from all restraint; arrangements to be made that three trustees should be appointed, in whom the property should be vested, one to be named by Mrs. Ince and Mrs. Hooper, another by Mrs. Cumming, and the third by the commissioner or the two trustees. A deed of settlement to be prepared, under which Mrs. Cumming should be entitled to rents and profits of estates for life. After her death one-third of the annual income to be held by trustees for the separate use of Mrs. Ince for life, after her death for the husband, if he survive her, and then to her children. Similar arrangements as to Mrs. Hooper. Mrs. Cumming to have power of appointment over remaining third: and if the power was not exercised, then such remaining third should be divided equally between Mrs. Ince and Mrs. Hooper."

The object of this arrangement undoubtedly was to reserve to Mrs. Cumming as much liberty as was consistent with her condition, and at the same time effectually to protect her property through the intervention of trustees; and if this arrangement had been faithfully carried out, there could be no doubt that this inquiry would have been wholly unnecessary. But from what subsequently occurred he was bound to state his conviction that it never was the intention that this arrangement should be honestly observed; but that the object was by any means to get rid of the commission, in order that this unfortunate lady might be left completely in the power of those who were determined, for their own advantage, to exercise an influence over her feeble mind, and which they had too successfully obtained by the course which they afterwards pursued. This arrangement having been entered into by instructions from Mr. Alfred Robinson, it would have been impossible for him to appear subsequently in any proceedings taken

for the purpose of repudiating it, and accordingly the names of Carion and Haynes were substituted for that of Mr. Robinson, and they immediately set to work to defeat the object for which the arrangement was entered into. The veil was rather a flimsy one; for Mr. Haynes was the brother of the Mr. Haynes who was the partner of Mr. Robinson, and he actively interested himself in all that took place subsequently to the arrangement. Mrs. Cumming was then removed from the sight of her family, and placed in the house of a Mr. Hutchinson. Being safely in the power of these parties, their first object was to obtain possession of the deeds which were deposited with Messrs. Saxon and Hooper, and without the possession of which no sale of her property could take place. It was soon discovered by those who had possession of Mrs. Cumming, that the fine and recovery which were necessary to give validity to the settlement of 1809 had never been levied or suffered; that settlement, therefore, was invalid, and the absolute interest which Mrs. Cumming derived under her father's settlement of 1776 still remained in force. To render that absolute interest available for their own purposes it was necessary to have possession of the deeds, and accordingly an action to recover them was brought. To that action there could be no defence, because the arrangement of 1846 was no answer to Mrs. Cumming's right. Immediately the deeds were obtained sales of her property took place to a great extent. That property was considered to be of the value certainly of above 20,000*l.*, and probably of 30,000*l.* It was learned from Mr. Robert Haynes that in 1851, by some means the miserable wreck of that property was 10,000*l.*, subject to a mortgage of 3000*l.*, which money had been received and used by some person or other. During the whole of this time the family were wholly unaware of the place where Mrs. Cumming was residing, and it was merely by accident that they at length discovered it. It seemed that, among other transactions which this lady was induced or compelled by Mr. Haynes to enter into, was to purchase two houses in Queen's-road, St. John's-wood. Those houses were let, one at 70*l.* and the other at 65*l.* a-year, there being a ground-rent of 15*l.* upon each house, and they had been valued together at 1000*l.*—certainly not more than 1200*l.*—and yet, according to Mr. Haynes, Mrs. Cumming was induced to purchase the equity of redemption for 1600*l.* But this was not all. Mrs. Cumming being in a precarious state of health, she might be removed by death; it therefore became necessary to provide against such a contingency. Mr. Haynes accordingly took care that a will should be made by which he secured to himself a legacy of 2000*l.*, and also a legacy of 2000*l.* to his wife; and he made himself sole residuary legatee. These matters had been discovered since the 1st of February, 1851. On the morning of that day, the police were going their rounds when they heard screams and cries of "Murder," proceeding from a house called Herbert-villa, Howley-road, St. John's-wood. In a little time Mrs. Cumming threw up the window and called the police, saying, "that her servant was going to murder her;" upon which they asked whether they could obtain admission, and she replied, "Oh, yes; my servant will let you in." They entered, and then the servant told them that her mistress was in a state of insanity. The police went up stairs, and found the bedroom door locked, and were obliged to use force to gain admittance. They talked a little with Mrs. Cumming, and, seeing no apprehension of danger, they left her in the care of her servants. Having thus become acquainted with the residence of Mrs. Cumming, witnesses would be able to describe the miserable and filthy condition in which that lady was found; and the strong feeling of alienation which existed in her mind towards her children. He was afraid there were persons studiously active in cherishing these delusions operating upon that subject in the mind of the lady. At that time Mrs. Cumming had employed a Mr. Thorne as her attorney, for the purpose of procuring the accounts and papers from Mr. Robert Haynes. The coachman employed by her was sent to Mr. Thorne, after the police had been to the house; but, instead of going to Mr. Thorne, the man went to Mr. Robert Haynes, and that person immediately took possession of the house and everything it contained. Mr. Thorne was not informed of Mrs. Cumming wishing to see him till the 3rd of February, and when he came he was denied access to that lady, and was told it was by Mr. Haynes's directions. On the 7th of February, he was told the furniture was being removed, and on going there he found that to be the fact. He saw Mr. Haynes, and remonstrated with him, upon which Haynes said it was done by his orders, and he would take the responsibility on himself. Part of the property was taken to Mr. Hutchinson's, and other parts elsewhere, and Mrs. Cumming was removed, but Mr. Haynes refused to tell where she had gone. However, Mr. Thorne discovered that she had been taken to Hutchinson's

house, No. 104, Upper Stamford-street, Blackfriars. On the 11th of February he went there, but was told he could not be permitted to see her. In the course of the day he received a letter, signed by Mrs. Cumming and witnessed by Hutchinson, in these terms—

"Feb. 11, 104, Upper Stamford-street.

"SIR,—I request you will not call on me again, or trouble yourself with my affairs, as I have no wish to remove the papers from Mr. Haynes; and you will please to send in your account.

"I am your obedient servant,

"Witness—S. HUTCHINSON."

"CATHERINE CUMMING."

On the following day the clerk of Messrs. Robinson and Haynes called upon Mr. Thorne with a letter, which letter was read to him, and of which a copy was taken. Curiously enough, that letter was dated on the 3rd of February. It was addressed to Mr. Robert Haynes, 17, Orchard street, Portman-square. It ran thus:—

"SIR,—It is my express wish and desire that you should continue the management of my affairs as my solicitor, and I request you will give no information respecting my affairs to Mr. Thorne, who, I am informed, has applied to you on the subject. You will also apply to him to furnish his account, in order that it may be paid. I take this opportunity of expressing my satisfaction at the manner in which you have managed my affairs, and to acknowledge that all your accounts with me have been examined and are correct.

"I am, dear sir, yours truly,

"CATHERINE CUMMING."

The family having learnt that Mrs. Cumming was residing at Stamford-street, her daughters called to see her, but they were refused admittance. It having been discovered where Mrs. Cumming was, it became dangerous to the parties interested for her to remain there; she was therefore clandestinely removed to the house of a Mr. Oldfield, in Edgeware-road, Mr. Oldfield being a clerk of Messrs. Robinson and Haynes. She was again discovered, and her daughter, Mrs. Ince, obtained an interview with her, when Mrs. Cumming received her with all the feelings of maternal affection. But Mr. Haynes very soon made his appearance, and desired Mrs. Ince to walk out, he refusing to allow her to remain without his presence; and she was compelled to leave. She called on the following day, and again saw her mother, in the presence of Mrs. Oldfield. Mrs. Cumming was relating to her daughter the utter neglect with which she had been treated, when Mrs. Oldfield began to stamp on the floor and scream violently; the servant came up, and it was impossible for Mrs. Ince to continue her visit. On the following day Mrs. Ince and Mrs. Hooper both went to Edgeware-road, but they were refused admittance; and Mrs. Cumming was again clandestinely removed, and her family lost sight of her for many months. They then applied to Mr. Turner, who was their solicitor, promoting this commission. That gentleman having ascertained that the Commissioners of Lunacy were aware of Mrs. Cumming's residence, he applied to them for information, and they told him that she had been removed to Worthing, under the feigned name of Cleveland, accompanied by a person of the name of Jones, under the assumed name of James. An officer of the police, who had been previously employed to discover Mrs. Cumming's residence, again found that she had been removed from Worthing to No. 5, Bloomsbury-place, Brighton. In consequence of a motion made before the Lord Chancellor, on the 27th of October last, Sir A. Morison and Dr. Monro were appointed to examine Mrs. Cumming. Sir A. Morison went down to Brighton, and, having power for that purpose, associated with him Dr. King, and they went to Bloomsbury-place. They were accompanied by the chief constable of Brighton, and, on their arrival at the house, who should appear but Mr. Robert Haynes, ready to receive them. He did all in his power to obstruct their access to the lady, and threatened he would bring an action against any person who ventured to use force to open the door of the bed-room in which Mrs. Cumming was stated to be. However, the door was opened, and Sir A. Morison and Dr. King saw Mrs. Cumming, in the presence of a Mrs. Watson. After a patient examination of that lady, during which all her delusions manifested themselves, those gentlemen came to the conclusion that she was a person of unsound mind, and incapable of taking care of herself and of her affairs. It was considered desirable that she should be placed under proper protection, and she was accordingly taken to an asylum at Effra-hall, Brixton, kept by Dr. Pettigrew. It had been asserted that violence had been used

towards her on that occasion, but he could prove that no violence was used to remove her from Brighton. When she arrived at the station, Hutchinson and James endeavoured to drag her away from the nurse who had her in charge, and who was obliged to entrust her to the care of the police while she went to procure a railway carriage. But, on reaching Dr. Pettigrew's, it was found she had not suffered in the slightest degree. In the asylum she had been seen by several medical gentlemen, all of whom were of opinion she was of unsound mind; but after a little while a petition was presented to the Lord Chancellor, by Mr. Robert Haynes, to request she might be removed from the asylum, and allowed to reside in one of her own houses. Accordingly she was permitted by the Lord Chancellor to reside at the Gothic Villa, attended by Mrs. Moore, a lady selected by Mr. Robert Haynes, and who had great influence over her, and might possibly, by the moving of a finger, prevent her from speaking in the presence of medical gentlemen of those delusions which her mind laboured under. It was under all these circumstances that this inquiry was instituted, and, unless the whole case he had been instructed to state was a gross exaggeration, and in part a fabrication, he had not any doubt that this lady was not only of unsound mind in 1846, but that she had continued uninterruptedly so to the present moment. They would undoubtedly hear on the other side the evidence of gentlemen of science and character, who would express their opinion that she was not of unsound mind. He was anxious that the jury should carefully weigh testimony of that description, but they would have to exercise what he would venture to call a common-sense judgment, which sometimes was worth all the skill and science in the world in estimating the comparative value of the opinions which they would hear on one side and on the other. Having now stated the case to them, he would proceed to call his witnesses.

GENERAL EVIDENCE IN SUPPORT OF THE COMMISSION.

Elizabeth Brown—Lived as nurse with Captain and Mrs. Cumming for nine weeks; left on the 10th of March, 1846. Captain Cumming was at that time confined to his bed-room. Witness slept in the same room, as he required attendance at night. Mrs. Cumming slept in the back-parlour. Mrs. Cumming's conduct towards the captain was very bad indeed: one time she put her hand under his cravat, and in the scuffle the handle of the bell broke. The captain did nothing to provoke her. She used the worst of language to him. She said he whored with every one of us. Has heard Mrs. Cumming say the captain threw her money away. She would go on for a full hour at a stretch, swearing and cursing without any cause whatever. She wished God to send curses on her grandchildren. She said Mrs. Hooper went into the park with soldiers, and that was the reason she would not allow her to come to her house. She said Mr. Ince robbed her of her plate. She said Mr. Ince and I were as intimate as man and wife. The captain was very quiet when left alone. Mrs. Cumming put her money in her boots, and she slept in her boots; she was very dirty in her habits. She used to keep the cats in her bed-room, and she never allowed them to come out; they performed all the offices of nature there. Once, on a quarrel about a writing-desk, the captain raised the poker to protect himself. I was sent out; when I came back, a policeman had come in and taken the poker away.

At that time was Mrs. Cumming's conduct very violent? She was afraid of the captain just at that time. — Which had the poker? The captain had it to protect himself. The cats used to have meat at eightpence a pound: she would not let it be boiled properly; the cats used to have clean knives and forks, and plates and towels. We dare not take her a dirty one in. The meat was boiled for the cats, and the captain had the liquor. Mrs. Ince and her sister once called.

Cross-examined by Mr. JAMES.—Was examined on the former commission. Mrs. Cumming and I were always quarrelling. Mr. Cumming was a man of gentlemanly habits. He was in the habit of calling his wife a whore when out of temper. She paid the bills. She was very careful of her money. — When she said Mrs. Hooper used to go to meet the soldiers, did not say that Mrs. Hooper, instead of going to chapel, used to go to meet Mr. Hooper, the bandsman; and did you not say that in answer to Mr. Barlow (at the former inquiry)? No answer. — Which cat was it that used the knife and fork? No cat used a knife and fork. — I thought you said so? Mrs. Cumming cut the meat. — Did you not state on a former occasion that he was frequently drunk? He could not be frequently drunk. — Was he drunk? He might be the worse for taking.

Susan Boyd, examined by Sir F. THESSIGER.—Had been three months in the service of Captain and Mrs. Cumming. Mrs. Cumming accused her husband of having intercourse with a nurse. Witness slept in the same room as Mrs. Cumming. She was restless at night. She said Mrs. Ince was no better than a street-walker. Does not recollect that she said anything about Mrs. Hooper. Witness has seen Mrs. Cumming use violence towards the captain. Does not think she allowed him sufficient food. More dinner was provided for the cats than for the servants. Mrs. Cumming dined with Mr. Cumming.

Cross-examined by Mr. Serjeant WILKINS.—Mrs. Cumming supplied the moneys for the articles consumed in the house. She was rather near; what some people would call stingy. She often found fault with me for giving too much. She would often make purchases herself when people came to the door. They complained that she was very hard to deal with; that she knew what she was about. Mrs. Cumming paid me my wages; she did not require an acknowledgment from me; she did from Elizabeth Brown.

Did she not say that Mrs. Hooper was no better than a street-walker, for she used to pretend to go to chapel, when at the same time she used to go and meet Hooper, the trumpeter? I have often heard her say that. — Did she not say that Mrs. Ince had encouraged the marriage without her knowledge, and that she ought therefore to be ashamed of herself? Yes; I have heard her say that. — On the occasion when you and the nurse went up stairs and found her choking the captain, had she not screamed? Yes, she did. — Was that for help? She said it was for help.

The captain sometimes had turtle-soup. He had his breakfast, lunch with some brandy, dinner, tea; sometimes a little broth for supper. Will not swear that she never complained of my idle habits. When the place was kept clean she said it was not kept clean.

By the COMMISSIONER.—Mrs. Cumming was cleanly in her own habits.

Harriet Brown, examined by Mr. PETERSDORFF.—Resided as nurse to the captain about July 1845. Mrs. Cumming's conduct towards her husband was unkind. She was often very violent, very abusive about the cats. — Have you heard her say anything about her grandchildren? Not anything particular, except about one little one that had died; she said that Mr. Ince had glazed it over after its death to make it look like life. I could not enter into the exact words, because it did not concern me.

Cross-examined by Mr. JAMES.—When did she speak about Mr. Ince's child? — did she say that it looked beautiful, almost like a varnished wax-doll? I think I might venture to say she said that. — Did she say it looked beautiful? No, she said the child looked as if it had been glazed over; like those children or wax images you see in tailors' shops. I was there from the 10th of July to the last day of August in 1845. — The captain used to have some lunch I suppose? He used to have some beef-water. — What is beef-water? A pound of beef was ordered; it was sometimes boiled not more than ten minutes.

Mrs. CUMMING.—That is a gross falsity.

Sarah Alsopp, examined by Sir F. THESSIGER.—Formerly lived for fourteen years in service of Mr. and Mrs. Ince. Knew Mrs. Cumming. Went with Mrs. Ince to visit Mrs. Cumming in 1837. At that time Mrs. Cumming was sometimes affectionate, and sometimes I thought her very excitable and very indifferent to her daughter. Went with Mrs. Ince and the baby to visit Mrs. Cumming at Maida Vale in 1840; her conduct was rather more strange. Mrs. Cumming and Mrs. Ince called once together upon Mrs. Hooper.

Cross-examined by Mr. JAMES.—Have you not heard that Mrs. Cumming was kind towards the daughter, and that she never liked Mr. Ince at all? — I am sure she never did like Mr. Ince. Was never present when Mrs. Hooper was present with Mrs. Cumming.

George Vernon Driver, examined by Sir F. THESSIGER.—I am a surgeon. From the year 1840 to 1847 I was in the establishment of Mr. Ince; I was on intimate terms with Mr. and Mrs. Cumming. I visited Mrs. Cumming on two or three occasions with Mrs. Ince. Mrs. Ince was very dutiful and very kind. I first remarked Mrs. Cumming's conduct to her daughter at an evening party at Maida Vale; a circumstance occurred which caused a little earlier separation than otherwise would have been. I was seated very near Mrs. Cumming and Mrs. Hutchinson, and I overheard something said disrespectful of the captain. It brought the remark afterwards, "The old fool is as deaf as a post." Mrs. Cumming checked the remark, and

I heard her then say, "The old fool is not so deaf but he can hear what has passed." That excited attention, and the party separated in consequence. Before that circumstance I had observed nothing extraordinary in the conduct of Mrs. Cumming, either to Mr. Cumming or her daughter, Mrs. Ince. — After that time, when you visited with Mrs. Ince, did you observe on any occasion the conduct of her mother to her different from what it had been? No, I observed nothing different from what you would expect. Latterly, Mrs. Cumming's conduct towards her family became more and more estranged. She did not pay proper attention to Mr. Cumming. On one occasion, about six months before his death, the captain came to Mr. Ince's in great bodily fear, he said; he was filthy in the extreme; he had large ulcers about him; Mr. Ince changed his linen; he was then removed to Belgrave-place. She once took me to see her fowls, and in my presence she made water, without offering any remark. (She has paralysis of the bladder.) The house was in a very noxious state.

Cross-examined by Mr. Serjeant WILKINS.—I am on intimate terms with Mr. Ince. I live within a few doors. At the time of the last commission I was living with Mr. Ince. I did not give evidence then.

Mr. Thomas Ince.—A cousin of Mr. John Ince, the son-in-law of Mrs. Cumming. Has known Mrs. Cumming three or four years. Knew her before Mrs. Ince's marriage. When I first knew her she was very lady-like in her manners, very neat in her person. I should think she had received a good education. She behaved to her daughters very well indeed; in the usual way. That was seventeen or eighteen years ago, before the marriage. — How did she behave at that time to Captain Cumming? I so rarely saw her that I cannot exactly say. — You had not an opportunity of observing? No, sir.

Shortly before the marriage of Mrs. Ince she said that her daughter (Catherine) had been the best of daughters, and would be a very great loss to her indeed. I knew Mrs. Hooper. After her marriage there was some estrangement between Mrs. Cumming and her. I do not know of the intimacy being at any time resumed after the marriage. I did not at any time notice a difference on the part of Mrs. Cumming towards her family. I continued to visit her for about two years after Mrs. Ince's marriage. I am now on terms of intimacy with the Inces. I have not known of any acts of unkindness or harshness on the part of Mrs. Ince towards Mrs. Cumming.

Cross-examined.—I have not seen Mrs. Cumming for twelve or fourteen years. I cannot exactly say that I was very intimate, but I visited her. I should say I did visit her more than four times in the four years. — How often do you believe you visited her during that time? I really cannot say. — It is merely a question of memory. There are a good many doctors here? My memory is getting rather bad. — Now you have been asked whether you know anything which should have created an aversion on the part of Mrs. Cumming towards Mrs. Ince? Yes. — Were you aware of the taking out of the Commission of Lunacy in 1846? Yes. I am not aware of any of the circumstances which have occurred since 1846.

Mr. Dangerfield.—I am a solicitor. Mrs. Cumming applied to me in the beginning of 1844. She had previously employed Mr. Hawkins as her agent. Various proposals were made to her for the letting of the Stow Hill House. It was in a very wretched condition, and I recommended that something should be done with it. She had always some objections to make. I never could get any decided answer from her. I think latterly she seemed inclined to entertain some proposals. There were various complaints made from tenants and other parties, and I found that it was necessary that there should be a general survey of the estate. I sent my brother down in the spring of 1844. He made a very full report of the state of the property; a copy was given to Mrs. Cumming. I do not particularly recollect that she attended to any of the recommendations which were contained in that report. She always expressed herself with great gratitude for all that I had done for her. I recollect she came to me in the beginning of October 1844, when she was about to take a furnished house at Bayswater. I found she was in rather distressed circumstances. I pointed out to her that if she had two houses she would increase her difficulties, and that if it was possible she should not take this house. I think that was the last time I saw her. I had rendered to her my accounts from time to time as I received them. I paid her over the money. I have not my books here of my attendances and bills of costs. I have still a claim for costs. I never robbed Mrs. Cumming out of £00*l.*, or any other sum. I could not rob her of any plate, for I never saw it. During the time I was her solicitor she always spoke very slightly of Mr. and Mrs. Ince and Mr. and

Mrs. Hooper, and did not wish that they should be acquainted with her address. She always spoke of Hooper as being a person rather inferior to her position.

I compromised an action brought against her for misusing the furniture in a furnished house. There was one bed in that house she said she would not sleep in, because they had weighed the feathers.

I was the solicitor employed upon the Commission in 1846. The order for the confinement of Mrs. Cumming was signed in May. I understood it was signed by Captain Cumming. She was detained in the York House Asylum; then I was informed of it; and it became important to ascertain whether the Commissioners would, under the powers of the Lunacy Act, which enables them under certain circumstances to do so, appoint a receiver of the estates without a commission. The Lunacy Commissioners made inquiry into that; they satisfied themselves I believe that Mrs. Cumming was insane, but the Commissioners thought it was only intended to apply to small estates, and therefore that it was not desirable in this case to act except by a Commission. The matter was delayed in consequence; it was going on at the time of Mr. Cumming's death. After that the Commission was issued at the instance of the two sons-in-law and their wives. After the Commission had sat some days there was an arrangement come to by counsel on both sides.

Mr. JAMES here said—It had the sanction of several of the jury; if it had not I should not have acceded to it.

The COMMISSIONER.—What did take place was this: an agreement was entered into which was mentioned to me, but I declined to go into it at all, and I think the counsel on both sides felt professionally that there was legally a little difficulty about it. It was put to me, whether I could not, in the phrase of the Common Law Courts, allow a juror to be withdrawn, or, what could be done. I said I felt there was great difficulty as to any course that was to be pursued for any such purpose, but I expressly protected myself from giving an opinion. It was clear that, the Crown having issued a Commission, it was to be proceeded with or dropped, or some course taken, and there was no possibility of either party withdrawing a juror. I did what I thought was the legal and proper course—the case was adjourned. Some suggestion was made by counsel, that it was for me to say what course I thought fit to pursue, and on the following morning I asked counsel on the one side and on the other side to proceed, and they declined, and then I said, under those circumstances I felt it was impossible for me or the jury to conduct such an inquiry; and I asked whether either party asked for a verdict; they said, no. I said under those circumstances I could not go on with the inquiry. I had then no alternative but to dismiss the jury, and the Commission was returned with an endorsement, stating the terms of the compromise.

CROSS-EXAMINED.—When did you render to Mrs. Cumming an account in writing of the rents you received for her?—The accounts I rendered were verbal. I do not know that I even rendered a written account, except upon one occasion. I have heard that Captain Cumming took the benefit of the Insolvent Act, about the year 1837.

I ask you if you do not know that this house which you have been telling the jury this old lady allowed to go into decay was scheduled in 1844 for the improvement of the town? I have heard that a water-works company was in progress.—You do not know that the house has been taken? I think I have heard that some such act passed, and that the house has been sold. Mr. Ince and Mr. Hooper first consulted me about the Commission in the spring of 1846.—In the first instance, was not this lady taken to York House Lunatic Asylum on a certificate signed by Mr. Johnson only, who was a friend of Mr. Ince's?—I have heard so. I was at her house in Belgrave-place before the inquiry, and while she was in custody at York House, with Mr. Ince; whether Mr. Hooper was there I do not know; he might have been. I have no recollection of helping them to find the property in the house. I recollect looking into some cupboards and places. If any property was taken away it must have been something very slight. I have no recollection of any trinkets. I had nothing to do with the return of any property under the arrangement, except as to the deeds in my possession. I delivered up also all the various papers of Mrs. Cumming, independent of the terms of that arrangement.—Had those been taken from her while she was in the asylum? I have no doubt. I tell you I had them from Mr. Hooper, and I blamed him for not bringing them before. I acted as the attorney for Mr. Ince and Mr. Hooper for a very short time after the arrangement, until Mrs. Cumming repudiated it.

Re-examined.—Visited the house in Belgrave-place for the purpose of preparing

brief for counsel for the commission in 1846. There was a view of the jury in consequence. It was a very extraordinary exhibition; in an upper room the filth of the pigeons was of enormous depth; and the furniture and the things lying about, and the way they were packed up, was extraordinary altogether. [It must be observed, that this refers to a period four months after Mrs. Cumming had been carried away to the asylum.]

Winifred Todd, examined.—Lived as cook to Mrs. Cumming, at Gothic-villa. Went on the 13th of June, 1850. My niece and myself were the only servants at the time. Three or four days after I had been there Mrs. Cumming asked me to lend her a penny. From time to time I advanced her money to pay for things that were required in the house, to the amount of about thirty shillings; and then she gave me two pounds, and I gave her back ten shillings. She always seemed deeply affected that she could not have the control of her money. It was on a Thursday Mr. Haynes said he would take her to Orchard-street, to Mr. Robinson's, to receive some money. Mrs. Cumming was dressed all but her bonnet. When Mr. Haynes came up she said, "This is a pretty start;" and he said, "What is the matter?" She said, "I have not got a bonnet to go out in;" and he replied, "Where is the bonnet you travelled in from Wales?" she said, "That bonnet I cannot find." I searched the boxes and could not find it. Mr. Haynes said, "Never mind, Mrs. Cumming, I will see into it immediately." The following day I found the bonnet was then in the house. She said that she had been robbed of her knives and forks. Mrs. Cumming was in the habit of giving orders first for one thing and then countermanding them. She has gone frequently the whole day and night without anything except a little brandy and water and a little port wine. I was three months the first time, and two months the second time, with Mrs. Cumming. I was six months away from her. She came in one time at one o'clock at night; she had ordered dinner at six o'clock; she had her dinner at one o'clock in the morning. I have set up with her at night. She was in the habit of swearing when she used to be vexed about her money. I heard her say that Mr. Haynes said it would be better for her not to see her children, as they were the means of her being locked-up before, and of course they would be the means of her being locked-up again. I heard her say that every servant robbed her.

Mr. Serjeant WILKINS interposed here.—There is not one single answer that this witness has given you that you did not put into her mouth.

Mr. PETERSDORFF.—Then now I will alter it.

She would sometimes dirty the bed. She seemed sorry at times that such things had occurred. At other times she did it on purpose of aggravation, because I wanted to go down stairs.—Did she say anything on these occasions about murder? I never heard her say anything the whole time I was there about murder.—Was anything said about striking or knocking you? She never said anything of the sort to me. She had things cooked in her room, except it was a joint, and then she had it cooked in the kitchen. She would frequently order different things and then refuse to eat them.—Give us some instance when she ordered inconsistent things? Sometimes she would have a slice of salmon, when she got it her stomach would not take it, and then she would have a chop; and then she would not have that; and then a stewed eel, and then her stomach would turn, and she would not be able to take anything. She had four cats. They generally lay in the room where she was. It was at times very offensive. There was a convenience put underneath for the animals to go to. She seemed very deeply affected that Mr. Robert Haynes had denied her money, and she said that she had got none, and that she would come to the work-house. She sent me to Mr. Passy, a silversmith, to learn if he could recommend her a solicitor. He recommended Mr. Thorn. Mr. Thorn came on the following evening. She applied to Mr. Thorn for money. The cats always had their plates, and their meat and soup every day. There was a cloth laid generally for them. They always had their milk in a china cup.—And saucer? No, only a cup. Dr. Caldwell attended her. The medicine was always put away when he was coming. Dr. Caldwell did not know anything about it. I heard her say that a person of the name of Clark had got some person to poison her; that she had given the milk to the cat, and that it was analysed by Dr. Hale. It was sent over to the chemist; that he said it was poison.—Do you remember her saying anything about her own food? No, I never heard her say anything, except that she liked to have it cooked in her own room, and then she knew what she was eating. She would not touch some fruit from Mrs. Hutchinson,

for she believed she was the biggest enemy she had.—Do you know whether she said anything had been done to the fruit? I do not recollect her saying anything about it. The house was dirty at times, because it was up stairs. My niece did not keep the room up stairs so nice and clean as it ought to have been kept. I never saw any one visit her but Mr. Haynes, Miss Cook, Mr. Fischel, the two Misses Hutchinson, and Dr. Caldwell. Miss Hunt called once. Mr. Haynes came about half-a-dozen times. He came when she sent for him.

Cross-examined.—Do you not know that her affliction was such that she could not restrain her stools? Sometimes she could if she chose.—On many occasions did she not express sorrow after it? Sometimes she has.—I think you gave the name of the doctor of whom she spoke about the poison as Dr. Hale; recollect yourself, was it not Dr. Barnes? No, Dr. Hale.—It is quite impossible you could be mistaken? No, I might be mistaken.—Now, is it not a fact, that while you were there some person did attempt to rob the premises? One night I was up with Mrs. Cumming, and all at once I heard a noise down stairs; when I got to the top of the kitchen stairs the wind nearly blew the candle out, and I found the door open. I saw a man go up the steps, and in the morning I saw the bar was taken out of the window, and the window stood open. I named it to Mr. Haynes. I did not name it to Mrs. Cumming till the Sunday. When I went to the house the kitchen had been stripped of almost everything. A box of sand was kept under the bed for the cats.—Where was it that the bonnet was found afterwards? In a box with another one, where she had put it and forgotten it.—You say she often changed her intentions about her dinner; she was in that sickly squeamish state that she could not relish anything hardly? No, she could not.

Re-examined.—Did Mrs. Cumming ever say anything to you about the want of the different things in the house? how it came that she was without those things? She said she had had a great many servants, and she supposed one had robbed her, and another had robbed her; she could not get down stairs to see after them.

Mary Rainey examined.—I was in the service of Mrs. Cumming in the latter end of November.—In what year? I cannot say what year it was.—Was it last November? It was.—Was it the last November, or the November before the last? How long is it since you left the house? Last November twelve months.—Then it was in November, 1850? I do not know what the number of the year was. She was then living in the Queen's Road. I lived with her upwards of two months. I left her on the 2nd or 3rd of February. Only Mrs. Cumming and I were living in the house. On the morning of the 1st of February I recollect the police coming. About twelve o'clock at night Mrs. Cumming got excited, and she is a very helpless person. Mrs. Cumming could not get from one side of the room to the other without I assisted her, and on this night in question Mrs. Cumming walked round the room as nimbly as you or I could, and she came to the window, and I asked her what she wanted. Then she got outside on the landing, and I asked her what she wanted, and she said it was no matter to me what she wanted; I was to mind my own business. She threw up the staircase window, and I turned her away from the window. I asked her what she wanted at the window? and she said I had nothing to do with that. Shortly afterwards she asked for some supper, which I brought to her.—Go on; what then? we are not aware of all these things.—I know what happened; you have got my statement before you; I dare say you know the questions; you have them before you, but I have not.—I want to know what happened.—I want to know too.—What then did she do? You must ask me the questions and I will answer them.—Do not make a joke of this. Recollect if you please you are upon your oath, and you are to tell us the truth. What did she do after her supper? (The witness here entered upon a matter totally irrelevant to the question.) Now, if you will apply your mind to what occurred on the 1st of February; do you remember the police coming? Yes; Mrs. Cumming had been excited, she locked herself into her room, and was calling me. I had removed the knives out of the room the night before. She threatened to cut her throat; she said she would put an end to all this; then she asked me to go down stairs and fetch her some coals. I went, and during my absence she locked herself into her room. I had taken the key out of the bed-room door, but she bolted the door inside, so that I could not get in. I tried to get in; she said I should not get into her room. The coachman, Charles Crane, (see his evidence) and I tried to get into the room. Mrs. Cumming was not aware that he was in the house. I found that Mrs. Cumming was speaking to the police outside in front of the house. Before she was speaking to the police I

heard a cry of "murder." I went down stairs, and asked who was there, and he said "The policeman." I opened the door to the policeman and to another, and left one outside, and she threatened me, as she had threatened before, to throw herself out of the window. She said there were a great many ways in which she could destroy herself. The policemen went up stairs to her door, and afterwards they got in. They could not get in by the door. They told her who they were. There was a conservatory leading into one of Mrs. Cumming's rooms; I told the policeman if he got into the conservatory, by a chair and table, he could get into the room. He got in in that way. The coachman broke the window, and the sergeant of the police entered Mrs. Cumming's room; he then opened the door and allowed the policeman and I to go into the room. The policeman stumbled; she screamed out; I could not say whether it was murder, but she swore at him for getting through the window. He said to her "I am come to protect you." She said, "You are not come to protect me; you are a person in disguise come to take me to the madhouse." After a very short time the policeman left. Mrs. Cumming was quiet after the policeman went that night. I afterwards sent the coachman to Mr. Hutchinson's; I asked him at the same time to call for Mr. Thorn, and he told me he would do so, and he did not do so. — I asked you whether you desired him to go to Mr. Thorn? It is written in my statement, and I must state it to you, must I not? — We have a great deal to do. So have I. Mr. Haynes came on the same evening. When he came, he was shewn into Mrs. Cumming's bed-room, and he asked the old dame "what was up now?" — Were you present at the time? No, I was not. I went for Mr. Thorn by Mr. Haynes coming there. Mr. Thorn was her solicitor, and I thought it was my place to go there and tell him; that was on Monday or Tuesday; when I came back I was shut out. On the Sunday night, Mr. Haynes had sent a man named Clarke and his wife. That was the way I left Mrs. Cumming's service. She had five cats; they were kept continually in Mrs. Cumming's room; it was in a dirty filthy state. I slept in Mrs. Cumming's room; I have felt it ever since, and I dare say I shall till the day of my death. She would not allow the room to be cleaned. In the drawing-room underneath where Mrs. Cumming slept, there was the wet came down through the ceiling in consequence of the cats being kept there. I dare say the stains are on the boards now, or there have been new boards. I do not think anything else could take the stains out, they were such filthy stains. The dinners were dressed in her room, except three joints. The cats had a medical attendant; his name was "Dr. Williams." Dr. Caldwell used to find the room offensive; he wished to have the window and the door open, and she told him he wanted to kill her like all the rest of them. Whenever any stranger came, whatever passion she was in, she would sit down and smile as if nothing had happened. She would sit up till four or five in the morning talking about her property and her family, and Mr. Robert Haynes robbing her, and about Mrs. Hutchinson. Dr. Caldwell sent her two bottles of medicine every week. — Was Dr. Caldwell aware that she did not take the medicine? He could not be off it, because the bottles of medicine were placed on the mantel-shelf before him. I was not aware of the address of Mr. Ince till after I had left Mrs. Cumming. — Do you recollect anything about poison in milk? Mrs. Cumming said she had some milk, that it was analysed by Dr. Hale and Mr. Ingram, and that there was found a small portion of arsenic in it. Mr. Haynes had sent her about two dozen and-a-half of wine; she said it was like bog-water; that it was nothing but poison, and that she sent it back again. Mrs. Hutchinson sent her some grapes, and she would not accept of them; she was frightened of being poisoned because she was connected with Robert Haynes. Mrs. Hutchinson, Dr. Caldwell, and Miss Hunt were the only persons who visited her while I was there.

Cross-examined.—When I first went to Mrs. Cumming, Mrs. Todd and her niece were there. I introduced into the house some persons of the name of Hickey. I am an Irishwoman. I do not know that the Hickeys are Irish. The mother introduced her daughter. I did describe myself in my affidavit as "extremely mild and not of a quarrelsome disposition." — How did you remove Mrs. Cumming from the window? By turning her round by the arm. — Of course in an extremely mild manner? Yes; that I will swear; I could not wrong my conscience to do so. — Now I ask you, if the coachman did not go up stairs, and when he went into the room whether the table in the bed-room was not thrown down, and whether Mrs. Cumming did not charge you with ill-treating her? No; certainly not. — That you swear? Yes. — Do you remember Mr. Haynes coming there? Yes. — Did Mrs. Cumming charge you with ill-treating her? No; she did not. — Was not this shawl produced, and did not Mrs.

Cumming say that you had tied this round her, and tied her arms in Mr. Haynes' presence? No.—Did you not fold your arms, and stand in the room and say, that you had done it, and would do it again? I said that if there was a doctor there from the asylum she would soon be bound over.—What had you threatened to tie her down with? I do not know. She asked me what she could be tied down with? and I said she could be very soon secured; "very likely I could secure her."—Then you did talk to her about tying her down with the shawl: I said so; I told you that over and over again.—Did you tell her so? No I did not.—Just this moment I understood you to say that you did tell her you could easily secure her. I say what I did say.—Did you tell her you could secure her? No.—Upon your solemn oath did you not say so just now? *I told her I could very soon secure her.*—What with? I do not know what with.—Did you not tell her with a shawl? *I told her I could use the shawl.*—Was it when the police were in the house that you told her you could secure her? After the police left.—I thought you said she was perfectly quiet after the police left? Yes.—After the police had left, and she was quiet, you told her you could easily secure her? She wanted to get out of the house, and I said, "If you do not keep quiet, you will be settled very soon."—You made a statement to make an affidavit in Chancery of all the facts you know? Yes.

The COMMISSIONER.—Did you tell Mr. Turner all the facts you knew? Yes.—(The witness being asked to read her affidavit, said she could neither read nor write. It was read to her; when it appeared that it contained no reference to arsenic being found in the milk.)

By Mr. JAMES.—When did you suggest for the first time about the wine sent from Mr. Haynes being poisoned; there is not a word of it in the affidavit? I think it is since; I am not certain.—Who is this Dr. Williams, the doctor who attended the cats? I do not know where he is; if you look in the *Court Guide* you will find it.—You never saw him at all? No; he only sent his bill in.—Is Hickey here to-day? I do not know.—When did you last see her to-day? I saw her outside.—Did you not tell the coachman that you knew Mrs. Cumming was mad directly you saw her? Yes; and so she was.—You knew it directly you saw her? Anybody would know it.—And you made up your mind directly you saw her that she was mad? No. I was discharged on the 3rd of February. I think I went to Mr. Ince's on the 4th or 5th.—Have you seen much of Mr. Ince lately? Mr. Ince?—Yes; that is what I said. Yes.—Have you seen him frequently? No; I met Mr. Hooper at Mr. Ince's. Mr. Turner was there; I made my statement there.

James Richards examined.—I am a policeman. In February, 1851, Howley-place formed part of my district. On the 1st Feb., about half-past twelve, I heard screams from Herbert Villa. 56 D came up at the time. Mrs. Cumming threw open a window on the first-floor front. She screamed for some minutes before the window was thrown open. We showed ourselves. Mrs. Cumming said, "Who is there?" I said, "The police." I asked her what was the matter? she said her servant was going to kill her. I said, "Can I come in?" She said, "Yes, my servant will open the door." I rang the bell and the servant opened the door. I asked what was the matter? She said her mistress was in a state of insanity, and that she had fastened herself into her room and she could not get access to her. She stated that there was a large fire in her room, and she was afraid Mrs. Cumming would burn herself. She then showed me and the other man the door leading to Mrs. Cumming's room. I knocked at the door; she said, "Who is there?" I said, "Police;" she said, "What do you want?" I said, "I am come up to interfere respecting your servant who is going to kill you." I asked of Mrs. Cumming whether she would give the servant in charge, she said, "Oh, yes, take her away." I said, "I must see you personally before I take the charge;" I said this to get Mrs. Cumming to open the door; she said, "I cannot, I am undressed." Finding that she would not open the door, I persuaded the coachman and the servant-maid to break open the door. He attempted to break open the door with an iron bar. Finding that the door would not open readily, we got on the zinc flat at the top of the staircase. The coachman broke the pane of glass in the window at the end of Mrs. Cumming's room. I then unhasped the window and got in. Mrs. Cumming seemed frightened and screamed very loud. She then went to the front window, I believe with the intention of jumping out of the window. I endeavoured to calm her. Policeman D. Parsons was standing outside: she said to him, "Who is that?" The constable said, "I am a policeman." She said, "You are an infernal liar, you are not a policeman, but a keeper from the madhouse in disguise, come to take me away." I

then opened the bedroom door and let the constable in and the servant-maid. The coachman said, "Do not let Mrs. Cumming know that I am here;" but soon after that he showed himself to Mrs. Cumming. She asked him how he came there. I saw a cloth laid on the floor, and I smelt a bad smell. I left Mrs. Cumming in charge of her servants; she seemed to be a little pacified.

Cross-examined.—I never was in Mrs. Cumming's house before. Did not know Mary Rainey. When the window was open, could she have thrown herself out if she had liked? She could. She was in the room by herself? She was. You got into the lady's bed-room? Yes. And first she peaceably asked you what you wanted? She did. Did you happen to stumble and fall head-foremost? Unfortunately I did.

Arthur Parsons examined.—A policeman. I was on duty on the 1st February at Herbert-villa. I remember Mrs. Cumming throwing open the window, but not the word "murder." I heard some sort of scream. (This witness generally gave the same evidence as the preceding).

Eleanor Hickey examined.—The wife of a plasterer. I was introduced to Mrs. Cumming either the last week in November or the first week in December, 1850, by Mary Rainey, one of the witnesses who has been called. I took my daughter Mary Ann, who was then twelve years of age, with me. She asked me if I would like her to come out to service. I arranged that my daughter should go. She asked Mary Ann if she was fond of cats. She said "They are beautiful creatures, I will tell you their names;" the first was called "Vic," the second was "Viz," the third "Mrs. Thomas," the next "Kitty," another "Tommy;" those were the quantity that were in the room at the time I knew Mrs. Cumming. My daughter was there about seven weeks. I arranged also that another daughter, Ellen, should go into Mrs. Cumming's service about the week before Christmas (1850). She wished to engage Ellen as housemaid. She was going to remove to Howley-place. She said the house must be kept more cleanly than the one she was in then, by which means she must have an extra servant. I heard complaints about wages not being paid. I have heard a statement about Mrs. Cumming having taken a dislike to her daughters. I went to see Mrs. Cumming when my eldest daughter had been there about a week. Will you state what Mrs. Cumming said to you, or you to her, when you saw her? When I first came, I went into the kitchen and took a small portion of spirits, which I always did before I entered her room, because the smell was so truly obnoxious that I could not stand it. She was sitting by a very little bit of fire in her dressing-gown, which she generally wore extremely dirty. She said my daughter and the "mistress of the kitchen," meaning the cook, had kept her without a bit of food all day; that they would not answer the bell, nor put a bit of fire on. I offered to fetch her something; she says, "My appetite is quite gone; but were it not, I cannot afford it." My daughter came up. Mrs. Cumming said, pointing to the cat's table on the floor, "Look, Mrs. Hickey, those four animals have got dirty plates." I told my daughter to take the dirty plates away and bring clean ones; and Mrs. Cumming was very much pleased. I visited Mrs. Cumming again three days after; she said to me, "I have signed that cursed will in Mrs. Hutchinson's parlour, so they tell me, but it is not my will, and I shall send for Mr. Thorn, a most respectable gentleman." The ceiling of the drawing-room was nearly falling through with the filth from the cats, and on the carpet and ground. I drew her attention to it, I said, "If Hickey has this to do he will have to cut all this ceiling out." I went to her after her removal to Maida-hill West (to reside with her). (Witness described a dirty act of Mrs. Cumming, which she represented that Mrs. C. had done expressly to annoy the servants). I dressed her on one occasion to receive Sir Matthew Wyatt, who was to come to sign different agreements about the house. After she was dressed she said, "Don't I look nice? because you know, Mrs. Hickey, Sir Matthew is coming as a courter." I says, "Sir Matthew is married, Mrs. Cumming;" she says, "Oh dear me, no, it is a mistake." I stayed there five days. The first night I did not sleep at all; I was apprehensive of something happening to Mrs. Cumming, from what I had observed myself. Mrs. Cumming said she was confident there would be something happen to her. She would sit up at night and say there were persons coming about to destroy her, and take her to a madhouse; her children were pursuing her, and trying to get her confined, that they might take her property from her. I left my daughter Mary Ann there. I went again to fetch my daughter away. I am convinced there was no complaint against Mary Rainey. One time I went and could not get admission—a Sunday evening. I called for a chisel and hammer of my husband's. Mary Rainey spoke to me at the door, she said

"Things have taken a very serious turn." I went again on the Monday morning. A man named Clarke came to the door; he brought me a chisel. The next time I went I asked for the hammer. I think it was two or three evenings after I went again, and saw three vans at the door. I waited till Sir Matthew Wyatt came to the door. He made some inquiries of me. I got a cab and went to Mr. Ince's. I saw Mrs. Ince. I then went to Sloane-street, to a Mr. Jones. Mr. Ince was there. I stated to Mr. Ince what had happened. Mr. Ince and Mr. Hooper went together to Sir Matthew Wyatt. I knew where Mrs. Ince lived before this. I had inquired who were her relations.

Cross-examined.—How many of the Hickey family were there in the house? My two daughters and myself. Mary Rainey was there all along; she introduced the Hickey family. I was in the house five days. Two or three days after I was there I looked into the *Directory* for the Inces' address. — I suppose your curiosity was a little excited? Not at all, it was quite a different feeling. — What was it? It was a feeling that any mother would have towards a family, and upon public grounds. — Did you go down to Mrs. Hutchinson's when Mrs. Cumming was arrested by the police on a charge of perjury? Yes. — Were you there? At what time? — I will tell you; you went down to identify Mrs. Cumming when the police arrested her? Yes, I went to Stamford-street. — I believe you went to identify her? I did not go particularly for that, I went to Mr. Hutchinson's house for my husband's hammer—for that very day he was going to work. — What I was asking you was, whether you went down to identify Mrs. Cumming in order that she might be arrested? I did not. — You swear that? *Not particularly for that*—what I went particularly for was my husband's hammer. — Attend to me—upon your solemn oath, did you not go down to identify Mrs. Cumming to be arrested by the police? Not when I left my own home to go there; but when I got to the office, they asked me there if I knew Mrs. Cumming personally, I said "Yes, I do." — What office? At Stone End police-office. — What took you there—was your hammer there? You will not allow me to explain where my hammer was. Yes, gentlemen, you may laugh, certainly. When I went for the hammer, Mrs. Hutchinson treated me very unlike a lady, and said there was nothing there belonging to me, and that Mrs. Cumming she knew nothing of. I said, "If you do not give me my husband's property, or tell me where to find Mrs. Cumming, I will compel you;" and as I went out I thought I would go down to the Stone End court—*there was a case coming on there, and I met a gentleman named Jones.* He said, "Where are you going, Mrs. Hickey?" We went to the Stone End court together. *I did not go in.* When he came out, an officer came and said, "Should you know Mrs. Cumming, provided you saw her?" I said "Yes." He (Jones) said, "You had better go down with this officer, because they want somebody to identify her—they are going to take Mrs. Cumming upon a warrant." When we went down, there was a clerk from some office. The officer knocked at the door, and the servant opened, and we all went in. Mrs. Hutchinson came to the door, and said, "She is not here." I said, "You know she is here—officers, I am confident she is here." The officer then said, "To tell you the truth, I hold a warrant, and you must allow me to search the house." She said, "Wait a minute:" she went to lock the door; there is a middle door in the passage; I saw that her intention was to lock the door, and said, "*Officers do your duty, and proceed up stairs.*" — You went to identify her? At that time. — Were you in the drawing-room with the police when she was arrested? Sir? — You heard me? *I was;* but the door was not open. — Were you in the drawing-room when she was arrested? No; the door was not open during the time I was there. — Were you in the drawing-room? Yes, and the old lady was in her bed-room. — Were you in the drawing-room with the police? Yes. — Did Mr. Haynes order you off the premises? Mr. Haynes asked me what I wanted? I said, "Sir, I have an interest in the case." — What Mr. Jones was it you saw about this arrest? Mr. Ebenezer Jones. — Had you seen him before? Yes. — Where had you seen him? I will not be certain. — I think I can inform you. I cannot exactly recollect. — Where have you seen him? I think the first time was at Mr. Ince's. — How shortly had you seen him before you went to identify this lady? Two or three days. — Where? Am I compelled to answer that question? — If you wish to be believed. At an attorney's office in the city, Mr. Turnley's. — Was he the man that went with the police to arrest the old lady? No. — Did you not say you met him? Certainly. — Is that the Mr. Jones you met about the police to identify the old lady, that you met at Mr. Ince's? Yes. — Did you see Mr. Jones after that? I saw him the following day—he called on me at my place; he

called to speak to me about Mrs. Cumming, and about the affair. (Witness at first refused to say what he came about, then said): Jones said there was a case coming forward against Mrs. Cumming and Robert Haynes that would very much surprise me.—Did you see Mr. Jones with Mr. Hooper? Never but once, since I came here—they were walking about together.—I thought you said that when you took Mary Ann you were introduced to the five cats; when you were introduced to those cats, the place was filthy dirty, and smelt very bad? Yes.—And you left your daughter there notwithstanding? Yes.—Three weeks after you sent another daughter? Yes.—Were you at Mr. Rumsey's more than once? I do not think I were, but I cannot charge my memory with that.—What took you to Mr. Rumsey's? I think I went there with Mr. Jones (Ebenezer).—Have you the slightest doubt about it? I am a person that has a little family to see to, and I do not bother my brains about all these sort of things.—Did Mr. Ebenezer Jones take you to Mr. Rumsey's? To the best of my knowledge, I believe he did.—Were you, besides being at Mrs. Hutchinson's to identify the old lady when she was arrested, were you before the magistrate, Mr. Gilbert A'Beckett, at Stone End? I was in court, but was never questioned.—You were there at the time you were about the hammer? Yes; but I never got the hammer.

Mary Ann Hickey examined.—The daughter of the last witness. Went into Mrs. Cumming's service about three weeks before Christmas. I was principally in the bedroom. Mrs. Cumming took all her meals there. I read the newspaper and attended to the cats. The cats had napkins and plates. I used to cut up their victuals. She has threatened to cut my throat about the cats. I was cutting up the cat's meat, and she said I was not doing it properly; she said if I did not mind, she would cut my throat. She seemed angry; she had a small dinner-knife in her hand. That was said in a manner that frightened me—I thought she meant it.—Do you remember at any time her being angry about some knives and forks? Yes; she was having some dinner, and she asked me to bring her a knife and fork, and I took her a fork with two prongs; she said she did not want that, and I took her the basket. She took up a small-handled knife, and she said, "It looks very tempting, don't it?" She says, "If you don't mind, I will cut your throat with it." I ran out of the room. I did not think it was joke, she ground her teeth together. The windows were never opened. She would not have the door opened if she knew it. All the filth of the cats was left under the bed. There was a box underneath the bed, nearly half full. I could not see whether there was any sand, because it was underneath. Mrs. Cumming herself was dirty in her person.—Do you remember ever hearing Mrs. Cumming say anything about doing anything to herself? I have not heard her say so. She swore very much. There was no cause for her being angry.

Cross-examined.—I am thirteen years old.—Your mother having been five days in the house with you, and seeing all that was going on, she left you there as servant? Yes; I had not been there long before Mrs. Cumming wanted to see my sister Ellen. My mother went away after stopping there five days, and left us both there.—When was it Mrs. Cumming talked about cutting your throat? After I had been there about two weeks.—Was it before your mother came to stay the five days? Yes.—When your mother came to stay, did you tell her? Yes.—What did she say? She took me away, and then Mrs. Cumming wanted me again.—Before she took you away had she sent the other daughter there, your sister? Yes, that was after I had told her about cutting my throat. I was not very frightened then. I remember Mary Rainey being there; she and Mrs. Cumming were always quarrelling.—Am I wrong in imagining from my learned friend's examination that each cat had a table-napkin? There was not while I was there; the cloth was spread upon the carpet, and then the meat was put upon the cloth, and a cup of milk by the side of each plate. Mary Rainey did not like the cats, because she had to clean the room.

Re-examined.—The cats did not have a clean cloth every day; once a week.

By the COMMISSIONER.—In Herbert Villa there was no box under the bed; the mess was cleaned up as they did it. I went back willingly to live with Mrs. Cumming. I was not very frightened when I went back.—We have been told that once or twice you laughed at her? Yes; she used to shake her hands about, and I could not help laughing.—Did you ask your mother to take you away? No; but Mrs. Cumming said she would not have me in the house.

Ellen Thomson examined.—I am the daughter of Mrs. Hickey. I am just turned sixteen. I was in Mrs. Cumming's service about three weeks, at the Queen's-road. The second day I was there she said I was a d—d little defranging.—I had done

nothing to offend her. She set me to clean the cat's soil which was underneath the bed. While I was there I went up several times and cleaned it away. Once she ordered me to bring up some plates. She took one of them and threw it at me, and stamped at me. I had done nothing to give her any offence. At another time, I took out the saucepan with some potatoes, as she would not have them on the table, and when in the act of giving her the potatoes she took up a poker, when being frightened I ran to the door. She held the poker to me, and stared at me. She said she did not mean to strike me. I then said, why did you take the poker? She replied, "To give it to you, madam, to poke the fire."—Have you heard her say anything about Mary Rainey? Yes, when Mary came up with a turkey, she said when Mary was gone, she only came sneaking for wine. On one occasion, when she was very bad, we would keep the knives from her, but on one occasion she took the knives under her arm, and said, so help her God, she would not part with them. After being with her three weeks, I left, feeling very frightened, and not thinking it safe to be with her.

Cross-examined. I had never been in service before. My little sister had been in the place about a fortnight when my mother took me there. I saw my mother, perhaps, more than once a week when I was there. My mother was an intimate friend of Mary Rainey's. — When was it you told your mother she stamped at you, and frightened you with the poker, and gnashed her teeth. The first time after she did it. — I believe you stopped there till you were discharged? Yes. Mrs. Cumming discharged me. I refused to go at first until my wages were paid. My wages were 8*l.* a-year. Mrs. Cumming was going to pay me 1*l.* for the month, instead of my stopping a month, but took it back again, and said she would pay my mother, and when my mother came up, she paid my mother 15*s.* Mary Rainey and Mrs. Cumming quarrelled about everything. — Was Mary Rainey a very mild person? No, not very violent, she is rather passionate. — You say she took the poker and held it up; where was she, standing in the room? Sitting by the fire. — Did she not say she took that up to stir the fire? Yes. — And did you not take it from her? Yes. — Did you not stir the fire? Yes. — And did you not put it down again? Yes. — Is that all that happened? Yes. She conversed with me mildly and quietly about religion. — She never struck you? No. — You told all this to your mother about the stamping and staring? Yes. — And she left you there till you were discharged? Yes.

By the COMMISSIONER.—Mrs. Cumming would give Mary Rainey money to buy things. Sometimes she would give her a note to change. She had brandy and water two or three times a day.

Simeon Thorne, examined.—I am an attorney, in Berners-street. On the 16th of November, 1850, a person came to me from Mrs. Cumming, desiring me to call upon her in Queen's-road. I had an interview with her. She appeared exceedingly infirm. The room was very offensive, it was quite devoid of all atmospheric air. I observed a vast number of cats in the room, probably there were five or six. She wished to consult me on her affairs. She told me she had employed Mr. Robert Haynes, and she stated to me the manner in which she had become acquainted with him. She related that she had had a commission of lunacy against her, and that she had been examined before the Commissioner, and that on that occasion Mr. Haynes was present casually, and undertook her case for her with her sanction. She then complained that she could not get any money from him, that he had had many thousand pounds of her money. I asked her if she had ever had any account. She wished me to remove the papers out of his hands. She said that Mr. Robert Haynes had all the deeds and papers, and that she could give me no information of what her property consisted. On the 21st of November, I saw Mr. Haynes. I applied for his bill of costs. He objected to furnish any account, as it had been furnished over and over again. He said she owed him 500*l.* or 600*l.* for costs; and if I wished to remove the papers from his hands, it must be upon the usual understanding to pay what should be found due to him. He said it would take some time to make out his bill of costs. (Some correspondence between Mr. Thorne, Mr. Haynes, and Mrs. Cumming, relating to a meeting and the accounts, was then read.) Mrs. Cumming's letter, in her own handwriting, was as follows—"Mrs. Cumming presents her compliments to Mr. Thorne, and will thank him to call at 59, Queen's-road, Regent's-park, between the hours of five or six o'clock to-morrow evening." On the 23rd of November, 1850, there is an entry in my attendance-book; "Mrs. Cumming—Attended you by appointment at your house, when you related the circumstances of your case, and the state of your affairs, and particularly as regards Messrs. Robinson and Haynes."

management of same; and it was determined I should apply again for their account and bill of costs, and afterwards see you thereon." I alluded to the account which had been sent. She denied having received a sum of 79*l.* stated in that account. (The witness then went into a long detail of conversations with Mrs. Cumming relating to her property. The points referred to all form the subject of inquiry in Mrs. Cumming's personal examination by the Commissioner.)

(During Mr. Thorne's examination Mrs. Cumming came into the Court.)

The COMMISSIONER, addressing Mrs. Cumming.—Do you know this gentleman (pointing to Mr. Thorne). I saw him once, sir; he intruded himself upon me before I came down stairs.—Are we speaking of the same person? I mentioned his name. (At the request of the Commissioner, the witness held up his hand.)

A Jurymen.—What is his name, Mrs. Cumming? Thorne, sir. He has been at my house at various times, and I might not have seen him.

The COMMISSIONER.—You are infirm, and obliged to see people in your bed-room?

Mrs. Cumming.—Yes.

Witness.—Sometimes she was quite unable to give me any account whatever; on these occasions I have noticed she was too ill, merely expressing that she wished to see Mr. Haynes.

Mrs. Cumming.—Yes, I was too ill, and no gentleman would have obtruded himself upon me in that state, and I do not go behind his back to say so.

Witness continued.—I had a long conversation with her on the 11th of December. She said she had found a will. She gave it to me at the time. There are some red ink alterations. I believe in Mr. Robert Haynes' handwriting.

A Juror.—It is not signed.

Sir F. THESSIGER.—No; it is the mere draft of a will.

You were going on to state, that you called her attention to the fact of there being nothing in her will in favour of her family? I asked her if it was her wish to leave those legacies in that way. "Certainly not," she said; she had revoked the whole of the legacies to Mr. Robert Haynes.

Mrs. Cumming.—That is a falsity.

The Witness.—I am very clear upon the subject. I wished to take instructions, as it was her wish I should make her will. *I wished to take her instructions for the purpose of making that will.*—With reference to her family, what did she say? I was then proceeding to say, that I asked her how she wished to dispose of her property. *I was now taking her instructions for her will.* I said you can easily revoke that will. We can easily have another will executed the moment it is your desire. *You are in a fit state of health.* She said she would revoke her legacies to all the Haynes'. When I came to Miss Hunt, I asked who Miss Hunt was. She said Miss Hunt was an old acquaintance, she would wish to leave her a legacy. Would she leave anything to her relations? She immediately became exceedingly excited, and said; "Never mention their names to me, never mention them again, sir." How would you give your property? "To any one who is kind to me," she said. However, I could take no instructions for a will.—She was not in a state at that time to give you any instructions for a will? Certainly not. On the 20th of January, 1851, I saw her about the house, Herbert Villa, which she had taken. She sent to me. It might have been the coachman, or Mary Rainey, who came for me. She had entered into all the matters without consulting me. The agreement was signed by Sir Matthew Wyatt, and witnessed by me. On the 28th of January, I stated to her, among other things, that Mr. Haynes had said, that instead of anything being due from him, there was a balance of 500*l.* or 600*l.* due to him. *She rose up in her seat in a state of excitement, and said; "It is a vile conspiracy."* Mrs. Hutchinson was there, and she was evidently under her influence, and she sat down and was quiet.

Mrs. Cumming.—That cannot be true, I could not have got up from my seat, because I was in bed.

Witness.—I did say there was one exception, when I did not see her in her bed-room, it was in Howley-place. She sat down, and it struck me she was still under the influence of Mrs. Hutchinson, or of something she had been partaking of, and that it would be perfectly useless entering into business on that occasion.

Mrs. Cumming.—It is very unmanly in a man saying that, when he is, perhaps, in the habit of doing it himself.

Witness.—I remember Mrs. Rainey coming to my offices, and giving me information of what had occurred on the 3d of February at Herbert Villa. I went up to the house.

I could not gain admission. The furniture was being removed. A servant called upon me, and I desired her to make inquiries where Mrs. Cumming had removed to, and through her I learned that she had been taken to 104, Stamford-street. I went there and could not get admission. I afterwards got a note signed by Mrs. Cumming, desiring me not to call again or trouble myself about her affairs. In the month of November last, I heard she was in Effra Hall Asylum. I called on her there. I was permitted to see her in the presence of Mr. Elliott, the proprietor. She said, "I do not want to see you; leave my room." She said I had deceived her, and wronged her. "I do not want to hear you, I won't hear a word." She refused to have any communication with me. The attendant said, "Do not excite yourself." She then said, "If you can get me some money that is a different thing, that is the point." I said, "If I was allowed time, that I dare say I could get her some money for her property." Then she said again, "Then I will talk to you."

Cross-examined.—I was introduced to Mrs. Cumming by Mr. Fase, my brother-in-law. He is a silversmith. She had applied to Mr. Fase to recommend her a solicitor. When I went, it was Todd who let me in. Mrs. Cumming appeared to be in an extremely debilitated state. There was a total loss of mental capacity.—Show me the entries (in witness's book) where you begin your transactions with Mrs. Cumming. Friday, 15th of November, 1850. This is the first entry; "Attending you, and conference on your affairs, and I was to apply to Robert Haynes, solicitor, for the account of the rents, &c. received by him." Yes.—That was the entry you made in reference to a person who appeared to have no mental capacity?—Do you recollect producing to Mr. Haynes Mrs. Cumming's written authority? Yes, afterwards, and I will tell you why I did. The reason was for my ulterior proceedings, and having some doubts about Mrs. Cumming's state of mind, I thought it right to have something under her hand.—Now will you explain what the production of Mrs. Cumming's written authority to Mr. Haynes could possibly have to do with your doubts as to her state of mind; because, if you thought her of unsound mind, what was the use of her written authority? In point of law it would be none.—What reason was there why you should show that to Mr. Haynes? I can see no other reason, than that I required in a proper manner all deeds and papers I had previously written to him for.—The reason you urged just now was, that you had some doubts of Mrs. Cumming's soundness of mind. "The bull put his head out of the window, and so she died, and he married the gardener."—What possible connexion can there be between your showing that to Mr. Haynes and your doubts of the lady's soundness of mind? I conceived the question as such, and one that would be better answered by the jury by their verdict in this case. Whether right or wrong I chose to get it, and I did that.—When was it that the circumstance took place with regard to taking the house? The 21st of January, 1851.—Did you attest that agreement? Yes.—Mrs. Cumming being a party executing it? Certainly.

(Serjeant Wilkins then requested the witness to read the subsequent entries of his attendances and conferences with Mrs. Cumming, some of which will be found in his examination in chief.)

It was on the 21st of October, 1851, that I went to Effra Hall.—Did any one go with you? "Having ascertained that Mr. Turner, solicitor, was acquainted with your present place of residence; writing to him requesting to be informed thereof in order to obtain an interview." Upon which I and Mr. Turner went together.—When did you first correspond with Mr. Turner? On July 1st, 1851.—When did you first see Mr. Ince, or Mr. Hooper? I never saw Mr. Hooper at all, to my knowledge, until I saw him here. Mr. Ince called about the time, after the removal of the goods at Paddington (Herbert Villa) in February.—Will you look and see whether there is any entry of your interview with Mr. Ince? On the 15th of February Mr. Ince called on me, and I charge it to Mrs. Cumming. On the 6th of March Mr. Ince came to me again, "Conferring respecting Mrs. Cumming, and your determination to proceed with the Commission of Lunacy."—In your affidavit you say, "that on the following day I went to Herbert Villa aforesaid." You told us yesterday you were refused admittance. Were you not told, at the same time, that Mrs. Cumming was very ill in bed, and could not be seen? Yes, the person said she was too ill to be seen. You say in your affidavit, that you frequently, since the 12th of February, had seen the late servants of Mrs. Cumming, and that you had endeavoured through them to discover where she resided. By the late servant do you mean Mrs. Rainey? Yes, and Mrs. Hickey.

By the COMMISSIONER.—Would you as a professional man have taken instructions from her to make a will? I think not.—If she had given you instructions? If she had, *I should have made a will merely revoking what she had done.*—If she had given you instructions would you have felt justified in carrying them out? I certainly should have had medical advice; and I mentioned it to Dr. Caldwell that it would be necessary probably for her to make a will, and that I should like some other gentleman to be present.

Nathaniel Webb, examined.—A surveyor from Newport. Knows the property of Mrs. Cumming in Monmouthshire. This witness described one property in the parish of Bettws as having been going to decay for twenty years; he considered it would cost 800*l.* to put it in repair. If in proper repair it would be worth 45*l.* a-year. In the present state of repair of the buildings it is not worth much more than 32*l.* a-year, which it now produces. Another farm, in Cwn Bassaleg, would require 460*l.* to put it in repair; the house is a complete ruin. The rent is 60*l.* a-year. If 460*l.* were spent upon it, it would produce 95*l.* a-year. Another farm, called David the Clerk's Farm, of 33 acres, if sold for building at twenty years purchase would exceed 12,000*l.* It has been sold to Sir Charles Morgan and Mr. Bailey for 2140*l.*, being the average of 65*l.* an acre. The witness described other farms as being also in bad cultivation. There is a farm called the Blackbird's Nest, I cannot give you any account of that, I merely walked by the house; that land looked in good condition; I did not trouble much about it. The witness mentioned also that a house had been sold for the station of the South Wales Railway; that another, at Stow Hill, had been sold to the Water Works Company.

Cross-examined.—The land sold to Messrs. Bailey and Morgan had been first offered by auction in six lots, and advertised for building purposes, and bought in; it was then sold by private contract. At first said the average rent of pasture land in the neighbourhood was 50*s.* an acre, afterwards that he could not tell. Some of the buildings are reputed to be 150 years old. Most have been in the same condition for the last twenty years.

Mrs. Ince, examined.—The youngest daughter of Mrs. Cumming; married Mr. Ince in 1838, with the approbation of both parents; at that time lived on the best terms with my mother. I remember my sister's marriage with Mr. Hooper; it was not with the approbation of my mother, nor of any, in fact. I took every means to prevent it. Three years after the marriage, my sister was reconciled to her mother when the second child was born. From that time my mother was affectionate towards Mrs. Hooper. At different times after that period there was a strangeness about her: little things she would make a great deal of. About 1838 or 1839 she was very much changed, very much altered in her manner and in her conversation. Upon one occasion she asked me to dine, with an infant I then had. I was about ten minutes past the time; she asked me what brought me there, I said she had invited me to dinner; she said, "Yes, I invited you at five, and it is now ten minutes past." I pleaded my infant as an excuse. She said, "If people do not come to my hours, they do not dine with me." She allowed me to go. I thought that strange, and contrary to her usual manner. From that time to 1845 or 1846 she exhibited at times a strangeness in her manner towards myself and my sister, and other persons. It seemed a pleasure to her when with one daughter to say something against the other. She would stay away from me for a year. When my sister was friends with her she was not friends with me. My sister thought it was as well, as mamma was so odd, that I should not see her. I heard of her from my sister. Both myself and my husband treated her with the greatest kindness. I remember my father and mother living in Belgrave-place, in 1846. My father was very old; my husband used to send him brandy in physic bottles. Once my father came to our house for protection; he said that my mother's conduct was such that he could not remain. I remember my mother being removed to York House, in 1846. My sister and myself were not the institutors of that proceeding. My father thought it to be the best step to be taken, and my sister and myself signed the paper to satisfy his mind that the act was right.—Do you entertain any doubt it was right? I have not the slightest reason to regret it, only to regret that the arrangement was not carried out at the time.—After your father died, you and your husband and Mr. and Mrs. Hooper continued the Commission of Lunacy against her? Yes, we had the Commission held to give her the chance of proving whether our judgment was right or wrong.

(*Vide* Mr. Dangerfield's evidence, who says the Commission was not taken out until the Commissioners in Lunacy had been applied to to appoint a receiver of the estates, and it had been discovered that they had no such power.) After the Commission, my mother was taken to Mrs. Hutchinson's. I called, with my sister, at Mr. Hutchinson's; he refused to give me any information about my mother. After some time, we found she was at St. John's-wood, and then I went to see her. We traced her to Camberwell. It must have been three years that I lost sight of my mother. I learned from Mrs. Hickey that my mother was about being removed from Herbert Villa. I did not go there; my husband went and saw Sir Matthew Wyatt. Afterwards I learnt, I think from Mrs. Hickey, that Mrs. Cumming was in Stamford street, in the house of Mr. Hutchinson. I went there with a gentleman; we were refused admission. Afterwards I was told she was in the Edgware-road; that was told me by Mary Rainey, I think. It was the house of Mr. Oldfield. I went there. It was on the 26th of May last. The servant said, "She does not live here." I said, "Excuse me, I am certain she does," and I passed up stairs. I saw my mother sitting at the window, seeming to be at lunch. Mrs. Oldfield followed, and asked me, "What business I had there?" My mother was very feeble. I asked her if I should cut the meat for her, for which she thanked me, and I did so. Mrs. Oldfield sent for Mr. Haynes; when Mr. Haynes came, he said, "What business have you here?" I said, affection brought me, and duty to my mother. I appealed to my mother whether I should leave, she said, "No, my child, I will never do that." I spoke to her about her will; I said that I was quite aware that her property was given by her will to Mr. Robert Haynes, and that I had no wish but to see her comfort studied while she remained in this world. She said, "Now my will, and that I have told Mr. Robert Haynes." I was there three hours. Mr. Haynes did not leave, and I left. I went again the next day; Mrs. Oldfield opened the door, I followed her up stairs. My mother was partly dressed; she asked me to assist her; then Mrs. Oldfield screamed and stamped, and clapped her hands, and frightened my mother. It brought the servant up. On the following day, I called with my sister at the same place; a note, signed by my mother, was put out at the door. (It signified Mrs. Cumming's request that Mrs. Ince and Mrs. Hooper should not be admitted.) I afterwards learned that my mother had gone to Worthing, and then to Brighton. This Commission is presented by myself and my husband and Mr. and Mrs. Hooper, for the purpose of protecting my mother's person and property. My husband is too ill to attend here; he has not left his bed for four days.

MR. SERJEANT WILKINS.—For reasons which will be obvious to every one, I should wish to postpone the cross-examination of this lady until it be definitely ascertained whether Mr. Ince will be here, because there are many questions that I should wish to avoid putting to her which I should put to Mr. Ince.

SIR F. THESIGER.—From what I hear, he is so unwell I do not think he will be able to attend.

(A discussion then took place: Mr. Serjeant Wilkins contended that the Commission ought to be adjourned until Mr. Ince, who had made important affidavits in support of the Commission, could be produced. Sir F. Thesiger replied, that he was only bound to call what witnesses he thought fit. The Commissioner decided, that the learned counsel must take such course as to the cross-examination as he thought fit; what might take place afterwards was another question. A Juror observed, that Sir F. Thesiger in opening the case pledged himself to produce Mr. Ince. Mr. Serjeant Wilkins then applied to have the cross-examination of Mrs. Ince postponed, to see whether Mr. Ince would come or not, as in the case of his coming he should not ask Mrs. Ince half-a-dozen questions. Sir F. Thesiger refused to assent to the postponement. Mr. Serjeant Wilkins ultimately proceeded to cross-examine.)

Mrs. Ince, cross-examined.—At the time of my marriage, my mother was very social. She frequently attended and gave dinner and evening parties; they gradually ceased after I married. She kept up an acquaintance with Mr. and Mrs. Hutchinson. Miss Hunt was her dress-maker. I do not know that she made a sort of confidante of Miss Hunt. Mr. Driver, who was our assistant, used to visit her. When I was living at home, my mother was not in the habit of drinking ardent spirits. I remember an execution being put into my mother's house; I heard for my father's debt—a gambling debt, or a debt of honour. I heard that he afterwards took the benefit of the Insolvent Debtors' Act. I stayed with my mother a month at Greenwich, in 1837. I think in 1840 or 1841 was my next visit to her; it was at Maida Vale. I might be there two

or three weeks. I could not remain, her conduct was so strange; in fact, I was so ill I was compelled to go home. I did not see my mother again until she came into our neighbourhood, about 1846. In the interval she came to the funeral of the little boy that died. She saw the child after it was dead, and she made remarks about its being glazed. I was at her house after that; we were invited with Mr. Driver; there was a supper, and then she was strange and excited, and, in fact, it broke up the party. I cannot name any other occasion from 1841 to 1846 of my seeing her. — Will you allow me to ask how many attorneys you have had in reference to the transactions with your mother? — The witness enumerated Mr. Dangerfield, Mr. Turnley, Mr. Jones, and Mr. Turner. I heard from Mr. William Jones, as well as Mr. Ebenezer Jones, that a charge of perjury was preferred against my mother. I heard of it as being contemplated; I refused my sanction to it. I know that Mr. Ebenezer Jones on the former occasion was produced to prove my mother was of sound mind. — Have you seen him here? I saw him at the door. — Do you not know he is subpoenaed as a witness on your side? No, I am not aware of it. He was several times at our house on this subject. It may be a week ago he was there. Whenever he has come I have never refused him admission; I always asked him to take refreshment. He may have dined there two or three days in the week. Mr. Jones may have been at our house the day before my mother was apprehended on the charge of perjury. I went to Mrs. Hutchinson, in Stamford-street, to let her know I had nothing to do with this matter. I was refused admission. I will not state positively that Ebenezer Jones was not at our house on the very day my mother was apprehended. I am satisfied not having seen Mr. Jones from our disagreement till after all proceedings had gone by. I think it was Mary Rainey who told me my mother had been arrested. Mrs. Hooper was married from our house. I went to the church with my sister. My mother refused my sister admission into the house. Mr. Ince took the licence. She came back to me and claimed protection. I said I could not keep her there; it was contrary to my mother's wishes, as well as my own.

Re-examined.—It was a very melancholy marriage altogether. We did our best to prevent it. The witness then detailed the different residences of her mother down to 1846. There were some glass salt cellars that a servant had robbed them of and pledged. She requested Mr. Ince to redeem these articles. I offered her to take them in the carriage, and she refused. A policeman came one morning and demanded the property of Mr. Cumming. This was while she was at Greenwich, in 1837. The men took them away. After the execution, the things were put up for sale. Amongst the articles of plate and jewellery, was a silver basket. Mr. Ince wrote to my mother, offering to buy it in. We attended the sale, not receiving any reply to our letter. We took on ourselves to purchase the basket. We wrote to her to tell her the basket was at her service. She made no reply. Then, among other things, a time after, she asserted that we had stolen this silver basket; eventually she had the basket. I was never at Herbert Villa at all.

Cross-examined.—When your mother saw the child in the coffin, did she not say it looked like a little wax doll? No: a remark was made that it was glazed over, and that Mr. Ince had done so; but she said it looked like a doll in a tailor's shop; that was the remark she made. I certainly must admit that I was reluctant to part with the silver basket, because I understood there was such a bad set of people about her. It might be a year or two before it was sent to her.

Mr. Wilnot was here called, to speak to the illness of Mr. Ince. He is in a very precarious state of health; he is suffering from nervous depression, and is threatened with paralysis; he has partially lost the sight of one eye; I am afraid he will not be able to attend for some time. — He is threatened with paralysis? Yes; he has partial paralysis in one eye.

Cross-examined.—When was it you were first called in to see him? I am speaking from memory, but I should say, six or seven days ago. — When was it his illness began? I think it was about six days ago. — When did you communicate this to Mr. Turner? Did you not hear my friend open the case, and say he would call Mr. Ince? No, I did not. — Mr. Turner has been in communication with and seen Mr. Ince. I probably mentioned it to Mr. Turner on the first day of the inquiry. I am not sure of it; it may have been on the second day. (The witness was speaking on the fourth day.)

Sir F. THESSLER: I am bound to say, I certainly did pledge myself to produce Mr. Ince, and I intended to do so.

Daniel Pilditch, examined.—This witness was a builder, called to prove the value

of the two houses in the Queen's-road, purchased by Mrs. Cumming of Mr. Haynes. He valued them at about 1100*l*. On cross-examination, he admitted he had never built or valued any houses in the neighbourhood of Regent's Park. He calculated that house property ought to pay 10*l*. per cent. His evidence has no bearing upon the sanity of Mrs. Cumming.

Mr. Benjamin Bailey Hooper, examined.—I am one of the sons-in-law of Mrs. Cumming. I was married to the eldest daughter in 1836. At the time of the marriage I was a commissioned officer in her Majesty's Excise. Before I was in the Customs I was educated for the profession of music. I belonged to one of the Guards' bands. I had not visited at Mrs. Cumming's house before my marriage. I had known her by passing and re-passing in the street. My marriage was without the consent of Mrs. Cumming. I was married from Mr. Ince's house. Mr. Ince was present at the marriage. I informed Mrs. Cumming by letter of the marriage. We were not reconciled for some time; I think it was in 1839, on the birth of the second child. I wrote to Mrs. Cumming, to inform her of that event, and my wife received a reply from her. I think, to the best of my recollection, conched in something of this sort—that she was very happy to hear—the usual thing—and that the child thus born should be a peace-maker. In November, in that year, I was invited to my father and mother-in-law's, but previous to that, my wife had been to her mother, immediately after her confinement, and was received very affectionately; I was not present; on the occasion when I was invited to dine, I was received with great kindness. Early in 1840, a little disagreement arose. My wife said to her mother, at her mother's house, that she missed a pocket-handkerchief. Mrs. Cumming flew into a violent passion with my wife; she said something about believing her servants in preference to her daughter. We left the house immediately. This produced an estrangement for some time. In the summer of 1841, Mrs. Cumming came to our house again; her former feelings seemed to have returned towards her daughter. She invited her daughter and myself to stay with her several times. I did not exactly stay myself, but my wife did. I went as my business would allow me to go. In September, 1842, I remember Mrs. Cumming sending a little girl to my house, requesting me to go in search of Captain Cumming; that he had left his home, and she did not know what had become of him. I went to her; she was then living at Maida Vale. I arrived in time to see her alight from a cab in company with Captain Cumming. She passed me without any recognition—did not seem to know me at all. I followed her, and when she got to the door, she turned round and stared at me in a very particular sort of way. "What do you want? the sooner you take yourself off the better." In 1843, I wrote to her, and went down to her house with my wife. She knew me, and received me kindly. I then saw her from time to time until her removal to Belgrave-place. I was consulted by her, about the end of 1845, about the management of her property. At her request I agreed to be her agent. Receipts were prepared for me to go into Monmouthshire to receive her rents. I had that authority signed by her at that time. It is in my hand-writing. I called upon her to receive her final instructions; she refused to see me. This was in July, 1845; no reason was assigned for her refusing to see me. In 1846, I remember Captain Cumming coming to me to take shelter from the alleged violence of his wife. He remained five or six hours; I went back with him to the door; he afterwards came again and took refuge: he remained two days and two nights. I went back with him on that occasion; I saw Mrs. Cumming; she met us at the door. She exclaimed (alluding to the captain) "I would rather see him brought back dead than brought back by such a scoundrel as you." There had not been the slightest quarrel between us before that. I had not seen her since the time when she gave me authority to collect her rents. The commission was issued in 1846, with my sanction, my wife's, and Mr. and Mrs. Ince's. When that inquiry took place my wife was in a bad state of health and unable to attend. She was not at the Horns' tavern at all. From 1846 down to 1851 I did not know where Mrs. Cumming was at all. I endeavoured at different times to discover, but always failed.

Cross-examined.—I used to play in the theatres; in the orchestras. I have played at all the theatres, at Astley's. It is correct that I was a bandsman, and played at Astley's. There is no delusion as to that. I was in the band when I first paid my addresses to Miss Cumming. The first time I met her was at the chapel door, on Sunday evening. I used to walk backwards and forwards in regimentals. I met her sometimes on Sundays. It was three years after my marriage before I saw Mrs. Cumming. The family might call me the bandsman. I used to play the French horn.

Before Mrs. Cumming signed the authority for me to collect her rents, I had asked her to lend me money. — Did you ask her to be a party to raising money upon your wife's reversionary interest? Not to the best of my recollection. — Did you apply to Mrs. Cumming to be a party to it? I do not remember it. I might have spoken on the subject to her.

I signed the petition in 1846, that Mrs. Cumming was a lunatic at that time. I am aware of the arrangement that was made. After that arrangement we changed our attorney, and employed Mr. Turnley. In 1848 I gave instructions to Mr. Turnley to file a bill in Chancery against Mrs. Cumming. There was a friendly decree by which the suit was arranged, and I received a considerable sum of money. A sum of 1000*l.* was raised to pay Mr. Turnley's bill. I should have 60*l.* a year under the decree. Those are the terms of the compromise of the suit in 1848.

You have sworn to Sir Frederick Thesiger that, from 1846 to 1851, you did not know Mrs. Cumming's address. I ask you, Mr. Hooper? I think I was mistaken there. I did hear she had been living in this neighbourhood, I think. — Will you swear you did not know it from 1846 down to the end of 1849? I will not be sure about it. — Did you know from Mr. Turnley that she made affidavits, and that every affidavit set out her address from 1847 to 1849? I did not. — Did you ever ask him for her address? I do not recollect that I did. — Did you know her address in 1850? I think I did. My wife called on her in 1850. — Where was it? It was up here. — Now, I ask you, when you got the money in 1848, under the compromise of the suit in Equity, you did not apply to Mr. Turnley again to institute a Commission in Lunacy; and whether Mr. Turnley did not refuse, stating it was arranged that she was to be treated as a sane person, and that he would be no party to it? No. — You did not? No. — You swear that? Some conversation of the kind might have taken place; but Mr. Turnley was never instructed to do anything of that sort. — What was the conversation? A conversation whether there were any grounds for doing it. — I know Ebenezer Jones; he was examined at the former commission, upon the part of Mrs. Cumming, to prove her sane. I have seen him here to-day. Very busy with your witnesses, I believe?

Sir F. THESIGER. — If he is, we are not answerable for that. When he comes, if he does come, you may ask him that question.

Mr. JAMES. — You say, "If he does come."

Sir F. THESIGER. — I do say *if*, because I do not mean to call him.

Mr. JAMES. — He has made an affidavit, upon which the commission is founded.

The Commissioner. — He is here, I understand.

I knew of my mother-in-law being arrested on a charge of perjury after it was done. It may have been in 1849 that the money was raised under the decree of 1848, and that I got the 300*l.* I do not recollect. I had seen Jones before Mrs. Cumming was arrested by him. He was at my house once. It may have been a week, it may have been a fortnight, before the arrest that I met him. I will not swear I had not seen him the day before. I saw him at Mr. Turnley's office on the very day. I met him there by accident. The arrest was spoken of. I did hear Jones say something about going to arrest the old lady upon a charge of perjury. I think I was at home when she was arrested. I might have seen Jones the next day. I do not know where. I first heard of the arrest in Mr. Turnley's office. I have played a game of whist with Jones, and shall do again when I want to make up a party of four. I knew Captain Cumming when he took the benefit of the Insolvent Act. I am aware of the execution. He was not a violent person. I never heard him swear.

Re-examined. — I had nothing to do with the arrest of Mrs. Cumming. I endeavoured to induce Mr. Jones not to do it. I considered she was not in that state of mind that she was accountable for her actions.

Further cross-examined. — You just now stated, that in your opinion she was in that state of mind at the time of the arrest that she was not answerable for her acts. Had you seen her since 1848, when the arrangement was made under which you got the money? No. — Had you seen her since 1846, when an arrangement was made to quash the Commission? I saw her once in the park. I did not speak to her. — And yet you state to the jury she was not in a state to be responsible for her acts? Yes.

Re-examined. — Almost from the first interview I had with Mrs. Cumming I thought she was of feeble mind. The impression left on my mind in 1846 remained.

John Turner examined. — The solicitor for the prosecutors of this proceeding. I first became concerned for Mr. Ince in the beginning of January, 1851. From facts which had been communicated to me by Mr. Ince and Mr. Hooper, I called upon Mr.

Thorne in June, 1851. I asked him for information as to where Mrs. Cumming was to be found. I went direct from him to Mr. Robert Haynes. He refused to give me Mrs. Cumming's address. In consequence of this refusal, sometime subsequently I applied to the Lunacy Commissioners to see if they could give any information. In the interval I saw the late servants, and requested them to make inquiries. About October last, I obtained information from the Commissioners that she was at Worthing under the name of Cleveland. I sent a detective officer to Worthing, and I learnt that she had gone to Brighton. At this time, it was finally determined that we would get a commission, but that Mr. and Mrs. Ince should present a petition to the Lord Chancellor for a medical examination. A petition was presented, and an order obtained, having Dr. Monro and Sir A. Morison to make that examination.

(A discussion hereupon ensued between counsel as to whether the order of the Lord Chancellor should be read. Mrs. Cumming's counsel contended that it was not evidence, being obtained upon *ex-parte* statements, and might prejudice the case: also, that it was obtained chiefly on the affidavit of Ebenezer Jones, whom Sir F. Theobald stated he would not call. The Commissioner said that the contents of the order were no evidence; the order itself might be a different affair. Ultimately the order only was read, and not the petition which was recited in the order.)

The following is the order as read:—"I do hereby order that Dr. E. Thomas Monro and Sir Alexander Morison be at liberty either alone or jointly, with any person or persons they may think fit, and in such respects and under such regulations, and at such times as they or either of them may deem necessary, to visit and examine the said Catherine Cumming for the purpose of ascertaining the state of her mind, and her competency to manage herself and her affairs. And the said Doctors Monro and Sir Alexander Morison, are to certify to me in writing the result of their examination and opinion as to the state of mind of the said Catherine Cumming, and the grounds upon which they form such opinion, after which such order shall be made as shall be just. And I do hereby order, that all persons be and they are hereby restrained from interfering with or interrupting, or causing to be interfered with or interrupted, the said Doctors Monro and Sir A. Morison in such visits and examinations aforesaid. And I do hereby further order, that all persons be and they are hereby restrained from removing the said Catherine Cumming out of the jurisdiction of that part of Great Britain called England till my further order.

(Signed)

"TAUNO."

(We quote the order in full, as under the assumed authority conferred by it, certain proceedings were adopted, the propriety of which was questioned. These will appear in the subsequent evidence.)

Having obtained this order, I first went down to Brighton. I went to the chief officer of police and told him of the order I had obtained, and of the abduction, for so I termed it. I made application to him to prevent any breach of the peace if any such should be attempted. On Monday, the chief officer of police went first and gained admission to the house. I then went and found the officer had got admission. I saw no one. The officer let me in. I then went to look for Sir Alexander Morison and Dr. King, and when I returned, I found Mr. Robert Haynes, and a Mr. James. I served Mr. Haynes with the order. We requested that we might be allowed to see Mrs. Cumming. He seemed quite unwilling to give us any assistance. Mrs. Ince was with us. There was a long time elapsed in conversations and persuasions by the doctors, and eventually, after both Mr. James and Mr. Haynes had not replied, I said either this must go for nothing, and the Chancellor's order must be treated as waste paper, or the door must be opened. The chief officer asked me when I conceived a reasonable time had elapsed; we thought two hours was a reasonable time. He then forced the door. Mr. Haynes came forward and threatened every one, and said he would take proceedings. We ultimately gained access to Mrs. Cumming. Upon the door being forced open, Mr. Jones stood before it and tried to prevent the physicians going in. The officer was in front. Sir A. Morison said he did not wish anybody to be present with him save myself. Mr. Jones endeavoured to force his way in. The officer stopped him. Sir A. Morison, myself, and the servant, Mrs. Watson, were present with Mrs. Cumming. I made a memorandum of what passed in Mrs. Cumming's presence. Sir Alexander Morison stated to Mrs. Cumming, that the Lord Chancellor having heard that she was very unhappy, had requested him to seek her, and he had to question her by his lordship's desire. She saved at first, that is, she was

vehement in her manner, but after a time became more quiet. She was asked if she would not see her daughter, and shouted, "No, never." She was asked why, and said she had tried to murder her. She was asked when, and she said at Howley Villa; Catherine Ince tried to strangle her, and she screamed murder. That her children robbed her, and she could prove it. That Mrs. Hickey wanted to take her to a mad-house, and her daughters wished to poison her. The servants had tried to poison her. She knew poison was put in her tea-cup, and she could prove it by medical men. She left her house in the Queen's-road because the servants tried to poison her; and she was continually moving about for fear of her daughters, who wished to kill her. She was asked if she had made a will, and said, "Yes," but she did not know when. She was asked who she had left her property to, and said, to her benefactors, who had protected her from her daughters. She refused to name them. She was asked if she knew Mr. Ebenezer Jones, and replied, "Do I know the Diable," that fellow has robbed me. She was asked of what, but could not tell. Had he been her agent? She replied, "Yes," she had employed him through Mr. Haynes, but she had never made any affidavit about him. She had not sold any of her property, but was living upon it. She could not tell the value, or of what it consisted. She was asked whether her son, Mr. Ince, had not attended Mr. Cumming, and shouted out, "Do not call him my son, he is the greatest villain that ever lived." She disapproved of her daughter's marriage, and, so help her God, would never see her again. She was asked if she knew Mr. Thorne, and answered, with vehemence, "Yes, that villain robbed me." I interposed at this time, and assured her that he was a gentleman holding an official situation; she said, he may be *officially* honest, but he had robbed her. She was questioned as to her grandchildren, and did not know how many she had; she hated her children, and felt no interest in her grandchildren. Mrs. Ince was a very bad character; she had seen her surrounded by six policemen, in a dreadful state, and beastly drunk. That was Sir Alexander Morison's examination.

Then Dr. King asked her if she was married, and she indignantly answered, she considered the question impertinent. She again refused to see Mrs. Ince. She was asked why she employed Mr. Thorne, and said, to do the same things as Mr. Haynes. She was questioned as to her property, but could give no account of it. She was asked if she had houses in the Queen's-road, and answered, Yes; but she could not tell what they cost, and she bought them of Mr. Haynes; she knew they were mortgaged. She did not know the rental of her property. She said she had sold the Red-house property, but did not receive the money. She did not know what property had been sold, nor could she state for what; she did not know why she had sold her property. Every possible assurance was given her of her daughters' affection for her. It was tried by both doctors to induce her to see her daughters, but she was deaf to all persuasion. She forgave them, but she could never forget. She felt great pain in body; she had fits. After her daughter had endeavoured to strangle her, a man and woman were in the house, and she was told if she was not quiet, they would put her in a strait-waistcoat, which they had ready; the man's name was George Clark. Lots of policemen and soldiers were brought into the house. She went to Mrs. Hutchinson's and got out of their hands. She was very fond of cats, and took them in her carriage; and one was a postilion, another a coachman. She was indignant with Dr. King when he thought them a nuisance, and asked, if he doubted her? he perhaps was not fond of cats.

That is the whole of the memorandum; that contains the substance of the examination of Sir A. Morrison and Dr. King. After they had done examining her, I asked if I might put a few questions to her; she gave me, in a very gracious manner, permission to do so. My object was to induce her to see her daughter, and therefore I sifted the answers she had previously given. I have not a memorandum of my questions. I asked her how long it had been since her daughters became so unnatural towards her, and she could not tell me. I took her from her infancy; I said, you have nursed them, you have suckled them, you have seen them as children, when was it that they became these degraded beings that you describe them? She could not tell. Was it before their marriage or afterwards? She could not give any time; she thought it was after their marriage. I questioned also as to where she had seen Mrs. Ince in the state she described; also about Mr. Clark; nothing material was extracted. After this interview, I requested Sir A. Morison and Dr. King, in case Mr. Haynes would not undertake not to remove her, *that they would give certificates so that I might take charge of her.* Having got these certificates in

my pocket I went back to her house. I applied to Mr. Haynes to give an undertaking not to remove Mrs. Cumming for a week, and to permit her to be seen in the meantime, and that he refused to do. — Upon that refusal you got the certificates? I had the certificates before. I then saw Mrs. Ince. Mrs. Cumming was left with Mr. Haynes and her own servant; I had an officer there. I telegraphed to town that some one should come down to take charge of her, or otherwise she would be removed. The next morning the nurse came down. I went with her to the house. I told her not to alarm Mrs. Cumming, and, as quietly as she could, remove her to the asylum, at Effra Hall. She was not removed on the Tuesday. Mr. Haynes refused to oppose by force her removal. She was ultimately removed. I was telegraphed of her coming, and I met her on her arrival. We had provided a staff of police in case of any further difficulty in town. I apprehended that Mr. Haynes might attempt to remove her.

Cross examined.—The suggestion for petitioning the Lord Chancellor for a medical examination of Mrs. Cumming originated with me in October. I read the order attentively. — Will you tell me then by what authority you presumed to put any questions to Mrs. Cumming? I had her permission. I went down to Brighton on Saturday, the 24th October. I went to Mr. Chase, the superintendent of police. I think I did accuse Mr. Haynes of abduction. I went to the house on the Monday with the superintendent and Mr. Meates (Mr. Ince's partner). There were two officers in plain clothes, Mrs. Ince, Dr. King, and Sir Alexander Morison—that is eight altogether. When I returned back, the carriage was at the door and Mr. Haynes was in the house; that was about an hour and a quarter after we had first gone; he afterwards told me he had come down to dine with Mrs. Cumming by her invitation for that day. — Did Mr. Haynes say that such an attack on the privacy of Mrs. Cumming was enough to drive even a sane person mad? Certainly not. — Did Mr. Haynes beg that Mrs. Cumming might have sufficient time given her to compose her mind? He asked if I would go away for about four hours and then return. — Did not Mr. Haynes say that if you would give her time to compose herself, that he would give his personal undertaking that she should submit to an examination? I think he said that if we would go away for four hours he would give his undertaking that she should not be removed. — Will you swear that he did not say he would give his undertaking that she would submit to an examination? I cannot swear one way or the other; my impression is, he wanted us to go away for four hours. It was at my request that Mr. Chase burst open the door. When I and Dr. Morison went into the room, Mr. Haynes had asked to be present. Sir A. Morison objected. I myself put several questions to Mrs. Cumming; I cannot say, a great many. I swear that I did not ask her whether she had seen Captain Cumming in the act of copulation with one of his servants; no one in my hearing used any such offensive expressions to her. Dr. King asked her about her husband, if he ever did anything improper; she hesitated, and said he was dead, and she said she did not wish to speak of the dead. He then went further and said, nothing improper ever took place between him and any of the servants; she hesitated some time and said, "Oh, yes, he had had a bastard child." On this occasion, I interposed, "That was only once, was it?" and she said in answer, "Oh, yes, I caught him in the act constantly." I altered some of my memorandums the same evening when I got home. Dr. Morison was quite an hour examining her. When Dr. Morison left, Dr. King came on. She was under his examination an hour and a half. — Did it never occur to you that this lengthened examination was rather too much for a lady in her position? It did not occur to me, for I did not think of it, in truth. She had refreshment brought up while I was there. The room appeared clean. There were no cats in the room. Mrs. Watson went out and in; she was out not more than five or six minutes at a time. Mrs. Ince and Mr. Meates left about an hour before I went. I left a police officer in plain clothes all night. The next morning I went to the house with a male and a female keeper. At 4 o'clock Mr. Elliott came. — Now you had obtained an order from the Chancellor for a medical examination? Yes. — And were you not commanded to return the result of that examination to the court? The medical officers were. — Did you in the meantime get a certificate signed by Drs. Morison and King for the removal of this lady to a lunatic asylum? On the Monday after the examination and the obstruction that had taken place, I asked them to give me certificates, in case I should get no undertaking. — Tell me one act of obstruction that was offered by Mr. Haynes or any person there? Mrs. Watson I should say was one, running up stairs and locking Mrs. Cumming in her bed-room. — Did you hear Mrs. Ince ask for admission into the bed-room? Yes; I did. — Did Mrs. Cumming say, "I have com-

manded her to lock the door, and I expect that she will obey my command"? She commanded her not to open the door; subsequently we called on Mrs. Watson to open the door; and she said, "I desire you not to open it."—Now, what other act of obstruction was there? Mr. Haynes, before the door was forced open, saying "If any one forces open the door, I will take proceedings." I might have seen Dr. Hale. I was told by Mr. Elliott that Dr. Hale had certified that to remove her in her then condition would be dangerous. I was not aware that she was paralysed in part of her body. At the time of her examination, she complained of pain in her back, and in her joints, and she felt pain all over. Mr. Elliott told me he should not act without my authority. I authorized him to remove her if it was right; of course if she was unable, she was not to be removed. I was not present when any one said there was a warrant from the Chancellor. I told them in the house that the disobedience to the Chancellor's order exposed them to be sent to Newgate. I did not instruct counsel to say, in answer to an application from Mr. Haynes to be admitted to Mrs. Cumming, that it was not the wish of Mrs. Cumming to employ Mr. Haynes as her attorney.—Did not Mr. Wilde, in answer to that statement, communicate with the Lords Justices? I heard Mr. Wilde state it was her wish to employ Mr. Haynes. I first became acquainted with Mr. Ebenezer Jones; I instructed him to bring up Webb. I subpoenaed Mr. Ebenezer Jones; I am liable to his expenses for having brought him up.

Re-examined.—The re-examination merely recapitulates some of the circumstances attending the entry into Mrs. Cumming's house at Brighton.

James Johnson, examined.—A policeman. Belgrave-terrace, Pimlico, was in my district in May, 1846. Between ten and twelve o'clock in the day my attention was directed to Mrs. Cumming's house. I saw Mr. Ince first in the street. I saw two females who were come to remove her; they came in a fly. I went up to Mrs. Cumming's door and knocked; the door was opened a little way, and one of the females, endeavouring to get in, pushed her knee and leg between the door and jamb. I took my truncheon to ease her foot and leg; that got admission into the house. It was the street door we forced open. I asked these females what authority they had; they produced the certificate. I saw Mrs. Cumming. She said we had come, or were sent, to murder her; I was no policeman. I stood reasoning with her, to persuade her to come. She refused, and made use of some very violent words. They took a strait-jacket from under their shawls, and threw it over and under her chin, and put her arms in across the front of her body and tied it below.

Cross-examined.—I saw Mrs. Cumming afterwards at the Horns' Tavern. I saw her walking up and down quietly in company with two females.

MEDICAL EVIDENCE IN SUPPORT OF THE COMMISSION.

Mr. George Cornelius Johnson, examined by Sir F. THESSIGER.—I am a general practitioner. I have known Mr. Ince for thirty-four years. In the latter part of the year 1845, and the early part of 1846, I attended Captain Cumming in Belgrave-terrace,—that is, from the 10th April to the 30th April, 1845; also in the months of May and June, and in April and May, 1846. Captain Cumming was in a state of great bodily weakness at that time. He was suffering from low fever,—that was the specific complaint for which I attended him.—Q. Had he other complaints. A. He had a disease of the prostate gland, and as the result of that he had considerable difficulty in passing his water at times.—Q. Independently of his advanced age, would you not consider that as quite sufficient to prevent the possibility of any sexual intercourse? A. I do not hesitate to say that it would be quite impossible for him to have sexual intercourse.—Q. What was the conduct of Mrs. Cumming towards Captain Cumming in general, as far as your observation went. A. It varied very much. At times she was kind and attentive to him, and apparently anxious about him—*anxious that I should do everything which my art enabled me to do to restore him to health.* At other times it would be very violent, and her language would be violent—she would address him in an angry tone, and would exhibit great indifference as to the result of his illness.—Q. You say that she would be very violent at times towards him—would she in your presence exhibit that violence? A. In language and occasionally in gesture; it was never carried beyond that. There was never any personal violence.—Q. Are you able to say whether she attended to his wants, and supplied him with those things which he required? A. There were times, and they were very frequent indeed, that I had to complain of the want of attention. You must understand that at this time he was in

a perfectly helpless condition; he was confined to his bed.—Q. Was that during the whole of your attendance upon him? A. No—during the early part of it. He was prostrate with fever.—Q. And was it during this period that she exhibited this variety of conduct towards him? A. Precisely.—Could you observe whether Captain Cumming had given her any particular provocation? A. Not in my presence.—Q. Did she ever speak to you anything about her husband? A. I am afraid at this distance of time I cannot charge my memory with that sufficiently to state on oath. I am anxious to be very careful and very correct.—Q. Did she state any other matters to you at any time that excited your attention? A. Oh yes! She stated frequently, in reference to her daughters, and also more especially towards her daughter Mrs. Ince, and also against her son-in-law. I made an observation to Mrs. Cumming that I thought it strange that another medical man should have been called in to the family when she had a son-in-law, an experienced man in the profession. That observation I repeated from time to time, and it always originated the same remarks from her—that the reason she did not employ her son-in-law was, that he was a thief, and that he, in fact, would lay his hands upon anything. On my remonstrating with her upon my feeling that it was impossible that a man in his position and character should be guilty of anything of the kind, she said, “Oh, yes; he has done so, and I can give you an instance; he has stolen from me a silver bread-basket or basket.”—Q. You say that Mrs. Cumming stated this upon several occasions with regard to Mr. Ince? A. Several occasions.—Q. And you endeavoured to dissuade her from entertaining any such notion. A. I did so.—Q. And could you prevail upon her? A. No, indeed I could not.—Q. What did she say about Mrs. Ince? A. She spoke of her as a person totally unworthy of her affection.—Q. Did she give you any instances—did she say in what respect she was unworthy of her affections? A. That she had been unkind to her. I can hardly again charge my memory with any special observations which she made in reference to that matter. I have heard a great deal, but of course that does not come under my cognizance.—Q. Did she appear to have any antipathy to her daughters? A. She seemed to have a perversion of all natural feeling, I thought, towards her children.—Q. Did she speak to you about Mrs. Hooper? A. Very likely—I do not remember that she did particularly—the observations were general; but there were instances in which she particularly alluded to Mrs. Ince.—Q. Had you any opportunity of seeing what state Mrs. Cumming's room was in? A. No; I was never admitted into that room, I think, but upon one occasion.—Q. What was your opinion, from the opportunity you had of seeing Mrs. Cumming, as to her state of mind? A. That she was of unsound mind.

By the COMMISSIONER.—When did you first come to that conclusion? A. Certainly within the first week of my attendance.

By Sir F. THESSLER.—And as your acquaintance with Mrs. Cumming advanced, and your opportunities of observing her continued, did you come to that conclusion satisfactorily in your own mind? A. My first impressions remained entirely unaltered.—Q. I believe that you signed the certificate by which she was confined in York House? A. I did. (The certificate runs as follows:—“I, George Cornelius Johnson, being an apothecary legally qualified, hereby certify that I have this day, separately from any other practitioner, visited and personally examined Mrs. Catherine Cumming, the person named in the accompanying statement and order; and that the said Catherine Cumming is a person of unsound mind, and a proper person to be confined; and that I have formed my opinion from the following facts:—viz. delusions as to the character of her near relations; delusion as to being robbed by them and others; violent conduct towards her husband; and unfounded antipathies towards her children.”)—Q. Upon your signing this certificate, did you examine Mrs. Cumming, and find that these delusions were operating upon her mind? A. Yes.—Q. Have you seen her since that time? A. I saw her during the late commission at the Horse Tavern, and have never seen her since until the present investigation.—Q. Probably you will be able, from your experience, to tell us whether a person of an advanced period of life whose mind labours under delusions of this kind is likely to be restored, or so likely as a younger person? A. Not within my experience.

Cross-examined by Mr. Serjeant WILKINS.—Q. Have you had much experience in diseases of the mind?—A. I have had the average which usually falls to men in general practice. I have not had any great experience in matters of this kind. It is quite due to you that I should admit that.—Q. During the times that you visited Captain Cumming, had you frequent conversations with Mrs. Cumming? A. Yes, I had.—Q. Long conversations? A. Not long.—Q. Were you aware at that time

that she was addicted to habits of intemperance? A. I never saw her so.—Q. You have stated that her conduct varied very much. Supposing that to be so; that she was in the habit of indulging in strong drinks, would you be at all surprised to find that the case? A. Certainly not; both states would lead to the same results.—Q. You have stated that in your opinion Captain Cumming would be incapable of sexual intercourse? A. That is my opinion.—Q. First of all, let me ask you, although there might be incapability of intercourse, is there any impossibility that the desire should exist? A. No, I should say not.—Q. What induces you to suppose that the sexual intercourse was impossible? A. The disease of the prostate gland, and the organs of generation generally—I should say it would be physically impossible.—Q. You say as to the organs of generation generally. Was there any other indication of disease but that of the prostate gland? A. It did not fall within my observation.—Q. Did you notice at times when you visited Mrs. Cumming, that she appeared more excited than at other times? A. Yes.—Q. Can you tell me as a matter of fact, from your own knowledge of the operations of the mind, is not the mind, generally speaking, much more prone to brood over past wrongs under the influence of drink than at other times? A. I am not quite clear that your position is right. On the contrary, I think rather differently.—Q. Do you remember a case in which a man lately destroyed a child? A. Yes, you may cite isolated cases; but I think as a principle it is not the fact.—Q. But there are isolated cases? Was it not when she was in that excited state that she spoke of the family in the way you have described? A. No.—Q. You have assumed that all those impressions on her mind were delusions? A. I did so at the time, and I think so still.—Q. And under that impression it was that you came to the conclusion that she was insane? A. It was so.—Q. An insane person may argue shrewdly on non-existing facts, may he not? A. Yes.—Q. And it is the non-existence of the premise that induces the belief of unsoundness of mind, there being no real cause? A. No real cause.—Q. You would not call imperfect reasoning a proof of insanity? A. Imperfect reasoning? Do you mean in points submitted for general argument?—Q. No. Supposing, for instance, that there may have been some very trifling circumstance which may have existed upon which one may attach very important consequences, would you argue that as a proof of insanity? A. Well, generally I might not, but individually I might.—Q. That means nothing. A. That is just what I wish it to mean; because it is a position which will not admit of explanation.—Q. For instance, supposing that I have been wronged by some person, and I am, as many people are, much more prone to suspicion than others—and suppose I afterwards bring my mind to believe that that person would wrong me in much greater particulars, would you say that that was a proof of insanity? A. On the conviction that that party, to my own knowledge, or as far as I had an opportunity of forming an opinion, had not done any injury.—Q. You must take my entire hypothesis. I ask you this—supposing some person has done me a slight injury, would you say, because I afterwards suspect that person of greater wrong that therefore I am insane? A. Certainly not.—Q. You talked about perversion of natural feeling, and not antipathy under consciousness of wrong—unnatural feeling? A. Yes.—Q. And may not that antipathy, even in the case of mother and child, proceed to estrangement and dislike? A. It is quite possible, but not to the expression of such opinions as Mrs. Cumming gave utterance to.—Q. You say there was a perversion of all natural feeling towards her children—in what way did she show her antipathy to Mrs. Hooper? A. I have already explained that; I cannot charge my memory with any particular explanation with respect to Mrs. Hooper, but she generalized them as her children, and spoke of their cruelly unkind conduct to her.—Q. Will you be kind enough to furnish to the jury your definition of unsoundness of mind? A. It is a very extensive question.—Q. I wish to have a definition, if you please. A. My impression is, that unsoundness of mind involves acts which are naturally contrary to reason, and altogether at variance with the circumstances and the condition of life of the party—peculiarity of habit, manner, and conversation inconsistent with the ordinary circumstances of life.—Q. Now will you be kind enough to tell me what it was that induced you to believe beyond what you have stated in your certificate, if there be anything, that Mrs. Cumming was of unsound mind? A. I should first mention the fact of my impression concerning the delusion of her children having robbed her—that appeared to me to be inconsistent—the peculiarity of her own person, manner, and habits.—Q. Will you state what that peculiarity was? A. In the first place, I should tell you my visits were made at different times of the day—that she was always wrapped in a loose dressing-gown, and otherwise in appearance very different

from what one would have expected from a person in her position in life. Again, the general appearance of the house showing either that she had no power, or having the power, did not choose to exercise it, in the arrangements of the house—the wretched condition of the room in which my poor unfortunate patient was placed, totally inconsistent either with the character of such a case of illness, and without any of the comforts one would naturally have expected to have found in the house of a person having, as I presumed, the fortune of Mrs. Cumming.—Q. Are those your entire reasons? A. The generally offensive character of the house.—Q. Did you know that she was complaining of illness? A. She never did to me; she once consulted me, but that was about some affection of the eyes.—Q. Do you know that she was at that time attended by some medical man herself? A. I am not aware of it.—Q. You have spoken of the mean way in which her house was furnished—were you aware that her furniture had some time before been seized to pay a gambling debt of her husband's?—A. No. Had I been aware of that, it would have been an excuse to me that the house was in a bad state.—Q. Did you know that after her marriage with Captain Cumming he had children affiliated to him? A. No, I did not: it may be as well to state to you that I do not know that I had even heard the name of this family until I had been called in.

Re-examined by Sir F. THESIGER.—Q. You have been asked as to certain general principles as to unsoundness of mind. Is it your judgment that those general principles can be applied to my case, or must each particular case be judged of by its own circumstances? A. I should say upon its own merits.

By the COMMISSIONER.—Q. You saw this lady once in her own bed-room? A. Only once; it was during my attendance. I do not know whether you would call it a bed-room; it was a wretched place, and the odour was so insufferable that I was very glad to escape from the short interview I had with her.

A JURYMAN.—Her bed was in that room? A. I cannot charge my memory with that.—Q. You did not go over the rest of the house? A. I never went over it.

Mr. Thomas Wilmot, examined by Mr. PATERSON.—I am a surgeon, residing in Chester-street. I have been about fourteen years in practice. I first saw Mrs. Cumming in York House Asylum, on the 14th May, 1846. For the first ten minutes I saw her with Dr. Millengen, the owner of the house; he then left us. I asked her how it was she was there? She entered into the subject, and complained very inveterately of her husband and children. I thought that, under existing circumstances, only natural.—Q. I think it would be desirable that you should give us the conversation as nearly as you can recollect, what you said to her, and she to you? A. I asked her the age of her husband. She had spoken in most disrespectful terms about her husband, and then raved on with violence, which, as I did not think it extraordinary, I did not pay much attention to. She told me her husband was an old man, 79 or 80, I forget which. I asked her by what particular facts she had to complain of her husband's conduct? She answered me that he was a whoremonger, and that he had connexion with every nurse who came near him. She rather dwelt upon this conversation. She stated to me that she had caught her husband lately in the fact. I tried to disabuse her mind, having learned from her that he had disease of the generative organs. I questioned her about her daughters. She said that Mrs. Ince was a prostitute, but did not assign any reason on my asking her. She stated that Mr. Ince had murdered, I think, three children. I am positive to two—two of his own, and one nephew or niece. One of his own, she said, was done for—murdered by him; and subsequently after its death “glazed” over. She told me that Mr. Dangerfield had robbed her of plate and property to the amount of 300*l*. She could not, or would not, afford me any explanation of it. She referred me to Mr. Johnson as her medical attendant, who would speak to her sanity. That is all I remember. The interview lasted about an hour and twenty minutes. I think she said Mr. Cumming was a confirmed drunkard. I considered that she was labouring under delusions as to most of those points; that she was a person incapable of taking care of herself; that she was unsound or incapable of taking care of her property. She said her house was in perfect order. I went immediately to the house in Belgrave-terrace. I saw Captain Cumming. He was in the front parlour. His room was scantily furnished; the bed and everything was very unpleasant. His disease would tend to make it unpleasant. I found him a person totally incapable, in my opinion, of having any desire for the other sex. The poor man was some three minutes before he could pass off a teaspoonful of water. I went over the other part of the house. I found it in perfect

disorder. The upper rooms were devoted to the pigeons, the lower ones to the cats. I afterwards attended Captain Cumming, and Mr. Ince saw him occasionally. He died on the 10th of July. I never saw Mrs. Cumming again till she was at the Herms Tavern. I had no conversation with her then. I signed the certificate after seeing the house.

Cross-examined.—I did not sign the certificate until after she was removed to the asylum. At that time Mr. Ince had attended patients for me in my absence, and we were on a friendly footing. I think Mr. Ince knew nothing of Dr. Millengen at that time.—Q. When you first went, did you not find her in a great passion? A. Perhaps I put her in a great passion.—Q. When you say she said that Mrs. Ince was a prostitute, was the word "whore," or "prostitute," used? A. "Prostitute;" she used the word "whore," over and over again, in connexion with her husband and Mrs. Ince both.—Q. This was at the time when she was in this state of passion? A. Oh, no.—Q. Was she cool then? A. Oh, she did so, but I did not form my opinion on anything she said until she had quieted herself. I considered that she had been removed from home, and that it was likely that she would be excited.—Q. When she complained of the disease, I believe you say she stated that the captain had disease in the generative organs? A. Those were not her words; but she said that in effect.—Q. Did she attribute this to his early excesses? A. No.—I have seen children who have died of scarlatina. It is not in my experience the case that, generally speaking, after death they present a sort of glazed appearance of the skin.—Q. Will you be kind enough, if you please, to give us your definition of insanity? A. Upon my word I have never seen or heard any definition of insanity that was satisfactory to me.—Q. But are there no general rules? A. None that are satisfactory to me.—Q. Then what induced you to pronounce Mrs. Cumming unsound? A. I have already given you my reasons.—Q. You have given us a conversation; I want to know what your reasons are? A. I considered she was labouring under delusions.—Q. Did you ever take the trouble to ascertain whether they were delusions or not. A. I took the trouble of going to the house, and having a conversation with Captain Cumming, before signing the certificate.—Q. To anybody else? A. To no one else.—Q. Did you expect Captain Cumming, if he had been inconstant, would have confessed it to you? A. I did not ask him if he was inconstant—it was absurd. I had seen the man try to make water.—Q. Then you think, do you (reflect for a moment), because a man might have difficulty, extending even to agony, in making water, that would forbid the existence of sexual desire? A. I think the difficulty he experienced would—he might have it mentally, but not in the generative organs.—Q. Desire in the organs; I never heard of the affections being placed in those organs before. I ask you whether the affection of desire itself might not exist. A. I do not hear what you say, (The question was repeated.) A. I do not now understand; if you mean that he had the desire, I do not believe that it did or could exist.—Q. Do you not know, as a medical man, that one of the greatest curses attendant on that disease (stricture, disease of the bladder) is, that desire will exist, and beget the greatest agony? A. My experience is the contrary. I had never more than one interview with Mrs. Cumming. I have not, perhaps, had above six or seven cases of lunacy under my own treatment: under the treatment of others, forty or fifty.—Q. Have you signed certificates for some six or seven? A. Yes.—Q. Upon each of those occasions did you sign certificates upon one interview? A. Oh, no.—Q. Was this the only case in which you signed a certificate on one interview? A. I cannot say that. I may have seen the patient only once. I never signed one without the evidence convinced me I ought to sign it.—Q. Your recollection is that, except in this case, you never signed a certificate on one interview? A. If I had not done so before, I have since.

A Juryman.—Have you seen Mr. Ince this morning? A. I have.—Q. In what state is he? A. He is in nearly the same he was on Saturday. He is threatened with paralysis.

Mr. Serjeant WILKINS.—Will you allow me to ask what are the symptoms which you say threaten paralysis? A. Amaurosis: he has partially lost the sight of one eye; he has numbness in his hand; and had giddiness in getting out of his carriage a day or two ago, before he consulted me.

At this stage of the proceedings, the Commissioner, addressing Sir F. Thesiger, asked him if he considered the examination of the lady as a part of his case.

Sir F. THESIGER.—I have always understood that those who support the commission should produce the lady.

The COMMISSIONER.—The usual course is, that the lady is examined at the end of the plaintiff's case, and again at the end of the defendant's case; and when the jury think fit.

Mr. Serjeant WILKINS proceeded to examine the witness as to the number of certificates in lunacy he had signed. He considered thirty was the limit.

Mr. William Bloxam was called. Is the present medical officer of York House Asylum, Battersea: knew Dr. Millengen, the former proprietor, who is now dead. The witness produced the book kept by Dr. Millengen during the time Mrs. Cumming was an inmate in that asylum.

Sir F. THESIGER proposed to offer the entries made by Dr. Millengen of Mrs. Cumming's case as evidence. Mr. Serjeant Wilkins objected: and a long discussion ensued. Sir F. Thesiger relied on the 80th sect. of the 8th and 9th Viet., c. 110, of the "Lunacy Act," which directs that "there shall be kept in every licensed house, &c., a book, to be called a case book, in which the physician, &c. shall make entries of the mental state of each patient, together with a correct description of the (treatment) of his disorder," &c. He contended that the book so kept, under the Act of Parliament, and which the keeper was bound to allow the Commissioners in Lunacy to have access to, was as much a public book as the books of the Stamp Office, or of the India House, which are admitted as evidence as public documents. Sir Frederiek also cited cases in support, especially Hyam against Ridgway, a pedigree case, in which it became necessary to establish the time when a particular person was born. A gentleman had attended the mother of the claimant in her confinement, and had made an entry of the fact of the birth in his book; and he being dead, the book was admitted for the purpose of proving the pedigree.

Mr. PETERSDORFF followed on the same side, and quoted the authority of Mr. Roscoe, who laid down the rule that where an entry or declaration is made by a disinterested person, in the course of discharging a professional duty, it is in general evidence after the death of the party making it. Mr. Petersdorff cited the instance that a notice endorsed by a deceased clerk in an attorney's office is evidence of the service of the notice after the death of the party.

Mr. Serjeant WILKINS contended that his objection had not been met. Firstly, as to the book kept by Dr. Millengen being a public book; the only object of it was that it might serve as a check upon himself; and in order to obviate the abuses liable to occur in private lunatic asylums; it was to satisfy the commissioners in case any complaint should be made. The cases referred to by Mr. Petersdorff were not applicable. It was true that an entry of a notice by a deceased clerk was held to be evidence; but evidence of what? of the service of that notice, and not evidence of the contents. Suppose the case put by Sir F. Thesiger, where a medical man had attended a lady during her confinement—had he thought proper to insert in his book, not only that she had been delivered of a child, but that she had been delivered of a bastard, would that have been evidence of the bastardy? So the learned Serjeant did not object to the book being admitted as proof of the fact of this lady having been an inmate in this asylum; it was not evidence of anything more. In the cases quoted, also, the parties were disinterested witnesses; and no witness could have a stronger interest in keeping this lady in his lunatic asylum than Dr. Millengen.

Mr. SOUTHGATE followed on the same side. He argued that it was simply a question of law. He contended, like Mr. Serjeant Wilkins, that all the cases cited on the other side went to show that if in a public document made by a man in the ordinary course of his duties, you find an entry made as to a particular fact done by him, that is evidence of that particular fact, but it is not evidence of any matter in any way collateral to that fact. It did not follow that because a book is directed to be kept by Act of Parliament, that it was therefore evidence—if so, what would be the use of inserting in Acts of Parliament a clause directing that certain books shall be evidence? Was there any such clause in the Lunacy Act? Certainly not. The book kept under that act was a private return made by the keeper of the asylum to the commissioners, who were sworn to secrecy; therefore they who sought to put that book in, sought to do that which the commissioners themselves could not disclose without violating their oaths.

Sir F. THESIGER here said—Dr. Prichard, who was himself one of the commissioners, was examined in 1846 under this very commission.

Mr. SOUTHGATE replied that Dr. Prichard was examined to prove that he saw Mrs. Cumming, and that such and such things took place between him and Mrs. Cumming,

but he could not be examined as to any fact which had been told him by Dr. Millengen. Mr. Southgate illustrated the inadmissibility of entries made by deceased parties as evidence of any collateral fact more strikingly and appositely, by stating that, in the pedigree case, the apothecary had entered in his book the fact that he had attended a lady upon the birth of a child—that book was held to be evidence of the fact that he had attended the lady; but, suppose that he had entered that at the time the child was born the lady was insane, would that be evidence of the insanity of that lady? He also observed that in pedigree cases evidence was admitted which was not admitted in other cases—such as entries in family Bibles. Mr. Southgate, lastly, urged that the book was only evidence of the fact that there was a patient in the asylum of the name of Catherine Cumming, and submitted that it was not evidence of anything more, and more particularly as it was impossible to cross-examine as to the reasons for the conclusion to which Dr. Millengen might have come.

The COMMISSIONER did not think the book evidence, as a book, but thought it evidence as the evidence of a medical man who had the charge of Mrs. Cumming at that time. It was open to the observation that you cannot cross-examine him; and also that he was the person in whose legal control she was, and therefore it might be, to a certain extent, a book to justify his own acts.

The Report was then put in, and read from the book kept by Dr. Millengen, and produced by the witness.

There was no entry in it of the visit of Dr. Conolly or Dr. Webster.

Sir F. THESSIGER, to the witness.—When the Commissioners of Lunacy attend, do they examine the patients? A. At their discretion.

The COMMISSIONER.—Of course they cannot go minutely into every case—you must not take that entry as evidence of their having gone minutely into the case, but *prima facie* evidence that they see no reason for their discharge.

Sir F. THESSIGER then put in the report of the commissioners to the chancellor, produced by the secretary, Mr. Lutwidge, dated July 1st, 1846.

Mr. Serjeant WILKINS inquired whether Dr. Millengen was not a writer of romances. The witness could not tell.

Sir Alexander MORISON sworn, and examined by Sir F. THESSIGER.—Q. You are a physician. A. I am.—Q. And I believe you have been so for a great number of years? A. Yes, a great many years.—Q. And you are a lecturer upon diseases of the mind? A. Yes I am, and have been for a great number of years.—Q. I believe you are also physician to Bethlem Hospital. A. Yes.—Q. Are you physician also to the Surrey County Lunatic Asylum. A. Yes.—Q. And I believe you were also the consulting physician to the Middlesex County Asylum? A. From 1831 to 1848.—Q. And you are author, I believe, of several treatises on mental diseases? A. Yes.—Q. Have you made the subject of diseases of the mind your study for a great number of years? A. I have tried to do so, at least.—Q. In the year 1846, did you, at the desire of Mrs. Cumming's family, visit her in the York House Asylum? A. I did.—Q. Do you recollect the day on which you went? A. To the best of my recollection I went on the 18th and on the 19th of May, and about the 19th or 20th of August.—Q. Upon the first occasion of your seeing Mrs. Cumming, how long do you think you were with her altogether? A. It was not very long the first occasion: she was engaged with two gentlemen—a Mr. Farrer, a solicitor, I think, and his brother. The next visit, which was the next day, I was with her, and should think about an hour.

Mr. Serjeant WILKINS.—Did you say the gentleman's name was Farrer? A. I was told so.

Sir F. THESSIGER—I suppose before you saw Mrs. Cumming you had endeavoured to make yourself acquainted with all you could learn of her state of mind? A. Yes I had. Mr. Ince then called upon me, and stated—Q. He had called and communicated to you particulars which it was necessary for you to know? A. Yes, and previous to going to York House, I had gone, by his desire, with Mr. Johnson, a surgeon, on the 11th of May, to Mrs. Cumming's house, in Belgrave-place, and after knocking and ringing several times, he was admitted, but came out and said the lady would not see anybody.—Q. Was that prior to her being removed to York House? A. Yes.—Q. So that you were unable to see her before she was removed to the asylum? A. I was unable to see her.—Q. Did you also have conversation with Mr. Johnson as to this lady—did he communicate with you? A. Yes.—Q. I suppose your experience would tell you it was necessary you should be possessed of this previous information? A. Of course, to know upon what points to examine the patient.—Q.

On the 19th of May you saw her, and had an interview with her for an hour? A. I should think so—a long interview.—Q. Were you there, in your judgment, sufficiently long to be able to ascertain the state of her mind? A. I was.—Q. What was your opinion of the state of her mind at that time? A. That she was not of sound mind; that she laboured under what I conceived delusions, both with regard to her children and property.—Q. What, in the course of that interview, did she state about her children which you characterize as delusions? A. She stated that they had robbed her, and that her son-in-law had destroyed one or two of her grandchildren, that after death he had varnished over the face of one of them.—Q. Will you allow me to ask which of her sons-in-law had destroyed the children? A. Mr. Ince, I think; that he had destroyed one of Mr. Hooper's, one of the grandchildren.—Q. That her solicitor, you were going on to say. A. That her solicitor had also robbed her, I think she said as to 300*l*. I am not certain as to the sum, but I think it was that.—Q. Did she state anything to you about her husband? A. Yes, she stated that he was of loose habits, and the nurses went to bed with him several times.—Q. Did you know of his being at that time a gentleman very far advanced in life? A. I have seen him; I went to the house to see him, and saw him on that occasion.—Q. Did you go after this interview? A. I went before I went to York House.—Q. What did she say upon the subject of her property? A. That she had been robbed of her property. I asked her what her property consisted of, and she seemed to have some tolerable notion of that; she said she had about some 500*l*. a year, that it would be 1500*l*. if the railroad went through it.—Q. In what state was she as to her dress when you saw her? A. When I saw her at York House she seemed very well dressed, and walked about; no appearance of anything like palsy; she exhibited a great deal of shrewdness.—Q. Do you find, from your experience, that persons who are labouring under what are called monomania, or delusions, are cunning enough to conceal them? A. Oh yes, to conceal them completely, sometimes.—Q. Can persons in that state at times be tutored to conceal their delusions? A. I think so. I have occasionally advised my patients in Bedlam Hospital that such and such delusions would prevent their being liberated, and that they ought to try to get rid of them. They have occasionally tried to get rid of them, and after a while they have returned. We had a remarkable instance there lately of a poor woman who destroyed herself. After a time she got rid of her delusion, so that I put her down in the convalescent list, and soon after she committed suicide.—Q. They are capable of repressing the exhibition of delusions for some time, but they will return? A. Particularly if they are spoken to, and told it injures them their talking of them.—Q. From the interview you had with Mrs. Cumming on that occasion, what was your opinion as to her state of mind? A. I mentioned that I considered her to be of unsound mind.—Q. And I believe you signed a certificate to that effect? A. Perhaps I did; I do not recollect. I did not sign the certificate for her being conveyed to the lunatic asylum. Perhaps I may have been asked my opinion at that time.—Q. Did you attend the inquiry at the Horns Tavern? A. The whole of it; and a wearisome job it was, something like the present.—Q. Was Dr. Pritchard there. A. He was.—Q. Was he examined as a witness? A. He was.—Q. You heard him examined? A. I heard him examined.—Q. Were you examined as a witness yourself? A. I was.—Q. Was Mr. Millengen examined? A. He was.—Q. Was it while the commission was pending or before the commission that you saw Mrs. Cumming again, in the month of August? A. Before the commission.—Q. When you saw her in the month of August, did you converse with her so as to endeavour to ascertain the state of her mind? A. I did.—Q. Were you alone with her on that occasion? A. I could not burden my mind, but I think I saw her alone for a certain part of the time.—Q. Upon that occasion did the same delusions, as you have called them, prevail as upon the former occasions? A. They did; the same ideas prevailed.—Q. And upon that, upon your interview with her, you gave your evidence before the commission upon the former occasion? A. I did, and on hearing the evidence that was brought forward before my examination, a great deal of which was given before the examination of the medical men—

Sir F. THESIGER.—We are both agreed as to this; it seems to have been laid down on high authority that it is not competent to ask the medical gentlemen—having heard the whole of the evidence, what is your opinion as to the state of mind of this party?—because that is a question for the jury, which will account for my abstaining.

Mr. Serjeant WILKINS.—It is the province of the jury.

Sir F. THESIGER.—That is my impression, and that is why I abstain.

THE COMMISSIONER.—You have a right to ask a professional man his opinion on a particular case. You can state a case to a professional man, but you have no right to ask him generally his opinion on what he has heard, that is putting him in the position of the jury. If you pick out particular facts in a case, you may ask his opinion on those facts; and that was laid down by the lord chief justice.

A JURYMEN.—But the party may ask a medical man his opinion derived from his own knowledge?

SIR F. THESSIGER.—Certainly, I will just put this by way of illustration of the course which is open to us.

THE COMMISSIONER.—It used to be always done.

SIR F. THESSIGER (to the witness).—Suppose a person has placed his affairs in the hands of an attorney who has conducted himself with the strictest propriety and integrity, and who has from time to time received money, and rendered due and proper account of the money, which has been sanctioned by the person by whom the attorney was employed, and that person should afterwards represent, on several occasions, that the attorney had robbed her or him, I will put it, had left him penniless—had rendered no account whatever, and was rolling in luxury upon the property he had so acquired—would you consider that delusion or not? **A.** I would consider it delusion, certainly. — **Q.** In the month of October we hear there was an order from the Lord Chancellor to yourself and Dr. Monro to go down to Brighton to examine this lady? **A.** There was. — **Q.** And to take any person with you, and pursue any course of examination you thought proper? — **Q.** Yes, to go together or separately, as we thought proper. We were to have gone together, but Dr. Monro was seized with erysipelas, and was laid up. — **Q.** When you went down to Brighton, did you desire to have the assistance of another medical gentleman? **A.** Yes. — **Q.** And I believe Dr. King was determined upon? **A.** Yes, Dr. King. — **Q.** From what you had heard, did you think it necessary to have some of the police with you when you went to the house? **A.** Mr. Turner met me there, of course. I went there to see the patient; I had nothing further to do but to be introduced to the patient. In what way I left to others, I could not direct that. **Q.** Having been admitted to the room, did you address Mrs. Cumming. **A.** Yes. — **Q.** Did you tell her for what purpose you had come? **A.** Yes, I told her the Lord Chancellor understood that she had been unhappy, or some expression similar to that, and that he had wished us to come down and inquire into the state of matters, and I think she said she was not insane. — **Q.** Mr. Turner was in the room—you wished to have some one there? **A.** Yes. — **Q.** Did Mrs. Cumming, when you went into the room, appear to you to be alarmed? **A.** No, I cannot say so much; she seemed very much as you saw her the other day. — **Q.** Quiet, was she? **A.** Yes, she did not rise out of her chair, or make any particular noise, except when her daughter, Mrs. Ince, who was there, wished to come in, and she said "no, never," in an angry tone. — **Q.** Will you be good enough to state what questions you put for the purpose of ascertaining the state of her mind? **A.** There were some questions I was led to put which I thought would throw light upon the state of her mind. In particular I asked her, "When you were in Herbert Villa, what was it made you call out at midnight for the police?" Her answer was, "It was because my daughter was strangling me." That was one question. — **Q.** Did you ask anything else? **A.** Yes, I asked her something else. I asked her if she had seen her daughter, or if she did not wish to see her daughter? and she told me she had not or would not. — **Q.** Did she say why? **A.** I do not think at that time. Then I asked her why she had left her house in Queen's-place, or terrace? I think she said, "Because they wished to poison me. They put poison in my tea." — **Q.** Did she say who it was who wished to poison her? **A.** No, she did not. — **Q.** Did you ask her why she had moved from place to place? **A.** Perhaps; I do not recollect. There was another question I asked her, by-the-bye. I asked her, first, who had advised her to depart from the compromise of 1846? She said it was her lawyer's advice. I then asked her if she had made a will? and she said she had. I asked her if she had left anything to her daughters? She said no; she was very angry, and expressed great anger against them. Well, since your grand-daughters have not offended you, have you left anything to them? No, I have left it to those who deserve it, or who have befriended me. I asked her who they were? She would not name them. I asked her several questions as to her property, but she either would not answer or could not. Had she sold any of her property? What did her property consist of? and several questions of that kind. — **Q.** You put, for instance, the question to her, "Have you sold any of your property?" **A.** Yes. — **Q.** What did she do or say upon that? **A.** She did not give any answer. —

Q. She was silent? A. Yes. — Q. Have you asked her what her property consisted of? A. Yes, I asked her what her property consisted of, who her tenants were, and several questions of that description; to all of which she gave me no answer. She asked me, on one occasion, "Am I obliged to answer that question?" I said, No, you are not obliged to answer any question, but such questions as you do not answer, I shall be obliged to state to the Lord Chancellor. — Q. Was she during the time excited? A. I do not know exactly what to call excited; if any, she was uncomfortable, and did not like to be questioned in that way, but she did not show any violent excitement, not such as I am accustomed to sometimes. — Q. Was it your opinion upon that occasion that she was a person of sound or unsound mind? A. I was of opinion she was of unsound mind. — Q. Did it appear to you that the same delusions which she had displayed in the year 1846 continued at that time? A. With some variation. That unnatural antipathy towards her children and grandchildren continued, and that disposition to delusions continued. For instance, supposing her daughter, who was miles off, strangling her at the time she called for the police. These appeared to me decisive marks of unsound mind. — Q. Is that a common form of insanity, persons dreading that they are to be murdered? A. Almost in all recent cases that is one of the indications. — Q. Is the destruction of the natural affections a common form of insanity? A. A very common form; it is one of the most common forms that people's affections have changed; and one of the most decided signs of returning sanity is a return of the natural affections. — Q. Do you find, when insanity prevails in persons advanced in life, they are more or less likely to recover than in the case of younger patients. A. Much less likely. — Q. From what you have seen and know of Mrs. Cumming, you think she is a person who could be tutored to conceal her delusion for a certain period? A. From the shrewdness which she had sometimes exhibited, I should think something might be made of her in that way, if you visited her a dozen times, day after day, repeating a story in the way you wish to have it done. — Q. You think it would impress it on her? A. I think she is a subject for that, or to alter the character of the delusion. For instance, I think she might be made to alter the delusion of being strangled by her daughter, or she might be made to say that was a dream, or something of that kind. I think she is a person who might be worked upon in that way. — Q. Is it your present opinion that she is a person of unsound mind, and incapable of taking care of herself and her property? A. It is decidedly.

Cross-examined by Mr. Serjeant WILKINS. — Q. Is your recollection very distinct of what took place at Brighton? — A. Not very distinct, but quite distinct as to that delusion, perfectly distinct. — Q. You say you asked her why it was that she called for the aid of the police on that night? A. Yes. — Q. And you said she told you one of her daughters was attempting to strangle her? A. Yes. — Q. May it by possibility be that you have made a mistake, and that what she said was, that one of her servants was trying to strangle her? A. Certainly not; she said one of her daughters — her daughter. — Q. Your first interview was in May, 1846, I think you say? A. Yes. — Q. Had you, before seeing her in 1846, received a statement from Mr. Ince? A. I had. — Q. A somewhat lengthened statement, I think? A. I cannot say that at all. I do not think it was a lengthened statement. He had called upon me, and told me certain circumstances respecting this lady. — Q. And told you some of the delusions under which she laboured? A. Yes; told me she had accused him of robbing her, and those other circumstances. — Q. Did he tell you that she had accused him of robbing her of a silver bread-basket? A. I do not recollect that. — Q. Did he give you a history of the transaction respecting the silver bread-basket and some silver salt-cellers? A. I do not recollect. I heard it at the trial. — Q. You also had an interview with Captain Cumming before you went, had you not? A. Yes. — Q. Had you a conversation with Mr. Johnson before you went to the Asylum? A. No. I do not think it, before then; when I went with him, on the 11th of May, to the house. I do not think I saw Mr. Johnson after that. — Q. You say that she told you her income was 500*l.* or 600*l.* a year, but that it would be increased to 1500*l.* if the railway was carried through her property? A. Yes. — Q. Did she not state that the fact of the railway passing through her property would so enhance its value as to raise it to that amount? A. No, I do not think she did, but it came to that in round terms. — Q. My learned friend, Sir F. Thesiger, asked you just now, supposing her attorney to have acted with strict propriety, and that the client should afterwards think that that attorney had robbed her, (which was in effect what my learned friend said,) would you call that a delusion, and your answer was, you would? A. Yes. —

Q. Supposing her naturally of a suspicious disposition, and stingy in her money transactions, and suppose that attorney during the whole of his transactions with her estate had only rendered her one written account, and suppose that attorney to be on intimate terms with her son-in-law, who she suspected to have robbed her, would you have treated her impression as a mistake or as a delusion? A. That is a hypothetical case. — Q. I put it to you as a hypothetical case. My learned friend Sir F. Thesiger put a hypothetical case to you, and that is my hypothesis. A. I would require to make particular inquiries myself, not exactly as you state it. I should wish to inquire whether it really was true that this attorney had done any wrong to her. — Q. You are to assume that—you are to assume that the attorney (I do not say that he had done any wrong) but you are to assume that that attorney had the management of her affairs for a considerable length of time; that he received her rents; that he had advanced her monies; that all her money transactions passed through his hands; and that he never gave her more than one written statement of the accounts between them, and that before the accounts concluded; supposing all that? A. It depends upon the length of time the account was standing, for it might not be a very long time. — Q. My hypothesis is quite as tenable, and quite as answerable, as that of my friend.

Sir F. THESIGER. It is a very long one.

The Witness. It might be a mistake in the woman, but as it was stated to me, it appeared to be delusion.

Mr. Serjeant WILKINS. Have you not found among sane persons a great many persons who are of a very suspicious character? A. I do not know that I have found many among sane persons. I have not had intercourse with many persons of suspicious temper. I do not know many persons of a suspicious temper; very few indeed. — Q. You are a very happy man: you do not know any? A. No; I cannot say I am acquainted with any of what I would call a suspicious temper. — Q. Would a proneness to suspicion be an index or a symptom of insanity? A. Not without other symptoms. — Q. Did you make any inquiries at all as to the moral character of Captain Cumming? A. No, none at all. — Q. Did you make any inquiries as to whether upon the night in question, who had attempted to throttle or strangle her when she called for the police? A. No; certainly not. — Q. Did you make inquiries as to what were the grounds on which she suspected her son-in-law of robbing her? A. Mrs. Cumming herself? — Q. Yes, or of any other person. Did you take any pains to ascertain whether there were any grounds for this charge or not? A. No. — Q. In fact, you assumed it to be a delusion? A. I assumed it from the manner of the patient, and other circumstances. — Q. Would you call this species of insanity monomania? A. Yes; I would; monomania founded on unnatural hatred of her children, leading to a great variety of delusions. — Q. Would you think that hatred of offspring, *per se*, is a proof of insanity? A. If it extends to children and grand-children, I should think it a strong symptom of it. I will tell you; there is a case lately decided in Scotland; but perhaps you will not go so far north? — Q. No; I would rather have your opinion in England. A. But I may mention that, in that case, the hatred of the parent was considered sufficient to do away with the will. — Q. That is the case of Dew and Clarke, is it not? A. No; that is the case of Fraser. — Q. That case has nothing to do with this, has it? A. No; but I mention it to show you that unnatural hatred alone has been held to be sufficient. — Q. Never mind about that. My question to you is this, do you think that the hatred of offspring, and of the offspring of offspring, is proof positive of insanity? A. I think it is. — Q. Do you think that ingratitude and a perseverance in cruelty and neglect would be unnaturally productive of hatred? A. I think it would naturally produce hatred. — Q. In the mind of a sane person? A. In the mind of a sane person, yes. — Q. Had you ascertained that Mrs. Hooper had married very much beneath her, and against her mother's consent? A. I have heard so. — Q. Had you heard that at the time? A. I do not recollect. A great many things appeared upon the trial that I could not now separate from what I had heard before. — Q. Had you heard of the marriage which she opposed? A. I had heard that she opposed the marriage of one of her children, Mrs. Hooper. — Q. Did you hear also that Mrs. Ince aided and assisted in that marriage. A. I heard Mrs. Ince state it yesterday here; I did not hear it before. — Q. When Mrs. Cumming expressed her dislike to Mrs. Ince, did she put that case? Did she not refer to her alliance with her sister, in disobedience of, and frustrating, her wishes? A. She might.

Sir F. THESIGER.—I think you do not understand the question.

Mr. Serjeant WILKINS.—The question was, whether Mrs. Cumming referred to Mrs. Ince having assisted Mrs. Hooper in the marriage, as a ground of her objection?

By the COMMISSIONER.—Did Mrs. Ince give any reason for her aversion to Mrs. Hooper? A. She does give that ground, but I do not remember when she did give it.

Mr. Serjeant WILKINS.—Did she not complain of their repeated acts of cruelty in seeking to confine her, and treat her as a lunatic? A. She has since, but not prior to that hatred.—Q. Did she not then? A. No.—Q. Prior to what? A. Prior to her being sent to York House.—Q. Prior to your being sent to Brighton? A. No; she never complained to me.—Q. You could hardly call a decay of intellect insanity, would you? A. We call imbecility insanity, unsound mind.—Q. Would you call a decay of intellect from age insanity? A. We call imbecility, and unable to manage her affairs.—Q. In old persons? A. If unable to manage affairs.—Q. Do you call the ordinary decay of mental faculties, the necessary result of age, such imbecility as to render a person unfit to manage his affairs? A. Certainly not; not until it amounts to senile imbecility.—Q. That is second childishness and mere oblivion. Did she complain to you of the cruelty of her children in their constant efforts to confine her? A. No.—Q. On no occasion? A. Not to my knowledge—not to my recollection. More of robbing her and wishing to destroy her, not of confining her.—Q. Did you take any pains at all to inquire into the case of poisoning? A. Not further than hearing what she said.—Q. Did she not tell you Dr. Barnes had analyzed the poison? A. No; she did not. I have heard that since, but she did not tell me.—Q. Did she tell you that poison was given in a cup, but being analyzed by Dr. Barnes, four years ago, was ascertained to contain oxalic acid? A. No; she never said a word about it.—Q. There is your own report, "My Lord, having visited Mrs. Cumming, for the purpose of ascertaining the state of her mind, Edward Thomas Munro on the 6th or 8th instant, and Sir Alexander Morison on the 27th, we are of opinion she is of unsound mind, on the following grounds, namely, that she believed her daughters to be her enemies, and plotting against her; that she has every reason to believe that one of them attempted to strangle her, and that poison was given her in a cup, which had been analyzed by Dr. Barnes, five years ago, and was ascertained to contain oxalic acid, and of which a fowl was afterwards killed, &c.?" A. That about the poison is Dr. Munro's altogether. She said nothing to me about poison.—Q. Did you see that report? A. Yes.

Sir F. THESIGER.—You are not regular in introducing it in this way, for it states that Dr. Munro visited her on the 8th, and Sir Alexander Morison on the 27th, and this is the joint report of these two gentlemen.

Mr. Serjeant WILKINS.—The interruption is as unfair as it is irregular, and does not explain away the difficulty, and I again ask Sir Alexander Morison if he put his signature to that certificate. A. I did, and Dr. Munro will explain it to you. I have explained it to you. My explanation is, that she stated to me that poison was attempted to be given to her. It was explained to Dr. Munro, and that is in our joint report.—Q. Is this the instance of poisoning which she explained to you? A. I cannot tell; she said she had been attempted to be poisoned.—Q. Is this the instance explained to you? A. I cannot tell; I suppose it is.—Q. Did not you ask for any explanation as to this circumstance of the poisoning, and under what circumstances? A. No; I did not.

The COMMISSIONER.—Were you present when Dr. Munro was present at the examination? A. No.

Mr. Serjeant WILKINS.—Did she say to Mr. Turner in your presence that the poison was put in a tea-cup, and that she could prove it by medical men? A. I do not recollect proving it by medical men. I recollect she said she was attempted to be poisoned in her tea, but I have no recollection of proving it by medical men.—Q. Did you make any inquiry at all as to the nature of the poison? A. No.

Dr. William King, sworn, and examined by Mr. PETERSDORFF.—Q. I believe you are a practising physician at Brighton? A. Yes.—Q. Have you practised there a great number of years? A. Yes.—Q. Are you now, or were you at one time, the proprietor of Ringmer Lunatic Asylum? A. Yes.—Q. You have had, I believe, a great deal of experience in cases of lunacy and unsound mind? A. Yes, for a man who does not profess that line of practice, I have had a good deal of experience.—Q. Do you remember, in the month of October, an application being made to you as to seeing Mrs. Cumming? A. On Monday, the 27th of October.—Q. Was any explanation given to you respecting the order from the lord chancellor for that

purpose? A. Yes; Mr. Turner called upon me and explained why he wanted me, and by what authority he was acting. — Q. Did you see Sir Alexander Morison at that time? A. Yes. — Q. Had you any conversation with Sir Alexander Morison before you saw Mrs. Cumming, as to her state of mind? A. Not particularly. — Q. Did you go to Mrs. Cumming? A. Yes. — Q. Was the door ultimately forced open by the police? A. Yes, by Mr. Chase. — Q. Did you go into the room as soon as the door was forced open? A. No; Mr. Turner and Sir Alexander Morison went in first of all. — Q. Did you go into the room or not during the time they were there? A. Not while they were in the room, not till Sir Alexander Morison came out. — Q. And when Sir Alexander came out you went in? A. Yes; there was great opposition made. — Q. Great opposition for anybody to go in? A. Yes; for Mr. Chase was nearly thrown down stairs, and might have been killed, and a more infamous piece of business never was. — Q. Did you see a Mr. Jones there, or James, at that time? A. Mr. James I did; it was Mr. James who grappled with the chief officer, who was nearly being thrown down and breaking his neck, and that is the consequence of having orders of the lord chancellor, and if that is not a crime, I do not know what is. — Q. You say, at last, you got in? A. Yes, when Sir Alexander came out I went in. — Q. When you went into the room, there was Mr. Turner, Mrs. Cumming, and anybody else? A. Mrs. Watson—the four. — Q. Now state what passed between them and Mrs. Cumming in your presence? (The witness refers to a paper.) A. I began, first of all, asking her about those delightful cats that have been mentioned. — Q. What did she say about the cats? A. She said she was fond of cats, and I asked her if she kept them in her room? she said she never kept them in her room—always in the kitchen; and I said, was your own clean and comfortable? she said, always very clean and very comfortable. Then she said she took them in a carriage with her, and made use of a general expression—two or three dozen at a time, and that they were fed in her room—not fed in the room—not kept in the room—and the room was always clean, and the cats were always kept in the kitchen; then I asked her about her daughters, and she said she had a great hatred to them because they had attempted to poison her, or strangle her, and that Mrs. Ince carried her in her arms, and attempted to strangle her. She did not say definitely which it was that attempted to poison her, but that they had attempted to poison her; and I asked what proof she had of that: she said they put poison into her tea—that this was given to the cats—that the cats would not touch it, and that it was given to a fowl, and that the fowl died of it: she said her daughters had treated her disrespectfully, and that they had married below their rank; she did not say that the one had married below rank, but they had, and that was her reason of hatred to them; and then I endeavoured to pacify, and to make her mild upon that point, and asked her to see her daughter, and whether she would provide for her in her will after what had happened; she said at first she would, and after that she would not. There was a certain incoherence and indefiniteness about her: she also said that it was her daughters that induced their father to send her to an asylum during his lifetime: she laid the blame upon them. Then I asked her about her husband, what sort of a person he was, and whether he was kind, and so on, to her; she said that he was a gentleman, and a man of character, and that he was very kind to her, and treated her well; but, after some little time, she began to abuse, and to accuse him of what has been mentioned in evidence so often, accusing him of having had intercourse with her servants, and that on one occasion she had caught him in the fact. Then I asked her something about her grandchildren, and she said she had some grandchildren, and that two of them had died; but she professed ignorance as to the nature of their diseases, or the cause of their death. I then asked her how she came to Brighton—whether she came by rail, or in what way she came; she said, at first, she came direct from London in a post-chaise, and not by rail; but afterwards, in the course of conversation, she said she had been at Worthing before she came to Brighton, and she said she had seen Dr. Barnes at Worthing—Dr. Barnes from London—she did not enter into particulars then. I asked her about Mr. Thorn, the solicitor, how it was she dismissed him; and she said it was because he did not attend to her. I asked her if she was aware that he called upon her, and had been refused admittance; she said not. I asked her how long her servant, Mrs. Watson, had lived with her, knowing that she had seven weeks; then I asked her a few questions about her property, whether she knew what property she had, and what had been done with it; and she said no, she did not know what her property was—she did not know what had been sold—when it had been sold: on asking her about signing papers and so on,

she said she had signed papers, but she did not know their contents—that is the substance of the conversation I had with her on different points. Then, in judging of the state of mind of persons, you take into consideration the whole manner, and tone, and expression, and particularly the expression of the eye, and the mode in which they make their answers, and their general gestures and behaviour; it is not simply what they say, but how they say it. — Q. What was the conclusion at which you arrived from your observation? A. My conclusion was that her mind was not sound, and that knowing nothing at all about her property, what she had sold or not, or what the contents of the papers were that she had signed, that she was not competent to manage her property. — Q. Was your attention directed, or did you make inquiries with respect to her bodily health at that time? A. I was not requested to do that, but I called on the Wednesday for that purpose. I understood she was infirm; she was sitting in a chair at the bed, with her face towards the bed, her back to the wall, and the fireplace on her left-hand side. As to those particular points about the case and the papers, and her daughters, a good deal would depend upon the facts, whether they were true or not, as to whether she was telling lies, or whether she was under a delusion. — Q. You said you went on the following day—I asked if you had ascertained the state of her bodily health? A. No; this was on the Monday. I was going to state that I went on the Wednesday; this was on the Monday; I considered that my office was over. — Q. Did you, on the Wednesday, ascertain the state of her health? A. I went into the house and walked up stairs.

Mr. PETERSDORFF.—Now, on the Wednesday, what took place? A. On the Wednesday I called in the afternoon, and then I found a person who would not give me his name, and who afterwards proved to be Mr. Ellis, and I requested to see her. The door was locked, and they would not admit me, and I said I came from the lord chancellor, or by the authority of the lord chancellor, which I considered to be the case, and I then said, “Well, I have done my duty. I have done what I think right, and you have done what you think right, and as I cannot see her I shall walk out of the house.” — Q. You did not see her on the Wednesday, then? A. No. — Q. Did you, at any time afterwards, see her to ascertain the state of her health? A. No, not to ascertain the state of her health. I saw her on the Thursday, but I am sorry now, from what I have heard since I came up here, I did not see her and ascertain the state of her health; I was not aware that she was paralysed, or semi-paralysed, in the legs, otherwise on the next day, Thursday, on which she was carried away, I should have wished to be aware of that circumstance: but it has been stated she went out in her carriage every day, therefore if she was put into a common carriage, and it might be very improper to carry her from London in that state, without any proper motive for it; but to carry her to London from Brighton, under the circumstances, was quite another question. Then, on the Thursday, I went and called on Mr. Turner, at his lodgings, and told him what had passed. — Q. That was after you had been refused? A. Yes, on the Wednesday, after I had been refused entrance, I went and informed him of the circumstance, and we went together to Mr. Verral, the clerk to the magistrates.

Sir F. THESIGER.—You need not go into that case.

The COMMISSIONER.—You were refused on that occasion? A. Yes; then, on the Thursday morning, I went to Mr. Chase. I had a note from Mr. Turner, to say that he was going to London, and I understood that they would not allow the nurse to take her away who was sent down from London. I therefore went to Mr. Chase, the chief officer of police, and I said this is a very peculiar case; here the lord chancellor has sent down to examine this woman—she is pronounced to be insane, she ought therefore to be removed to an asylum—the nurse has authority to remove her, and we may consider that authority as coming from the lord chancellor. There are people in the house who will not allow her to go; and I said, will you go up to the house, and stand by, and keep the peace while the woman performs her duty, for Mr. Verral, the clerk to the magistrates, had told us she was authorized to do so; he took the next down to consult it—perhaps I was a little out of my line there, but I did think it was abominable. — Q. What did you do? A. Then Mr. Chase and I went up together, and went into the house, and called all the people in the house together, and there we found the nurse from the asylum, with her brother, older than she was. The nurse was a very sensible, quiet, judicious woman—we called them together, and Mr. Ellis and Mr. James into a lower parlour, and then I said this woman has got authority to take poor Mrs. Cumming away from this house; Mr. Chase, an officer of the police, is come to protect her in so doing, and she will give her orders as to what is to be done,

and how it is to be done. Well, then we went up stairs, and found the door again fastened inside, and they spoke; this woman spoke to the persons inside to desire them to open the door, and they refused to do it—at least they did not say anything—the door was not opened, and, after waiting a certain time, she then desired Mr. Chase to open the door. Mr. Chase put his back against the door, and opened the door, and then it appeared to him they had put on a very strong bolt, and in breaking open the door the architrave was torn away, from the force used; there we found Mrs. Watson and another woman, who would not give her name; but it appears since it was Mrs. Hutchinson; then the nurse said she was come to take her away, and she should do so. They did not offer any physical resistance, but said she was not fit to go—that she wanted to be dressed, and so on; and I said, of course they will dress her properly for the journey; and I made some observations as to Mrs. Hutchinson being in the room. She said she hoped they would not turn her out of the room, because she was a friend and an acquaintance. I did not know who she was, and I thought, out of feeling of delicacy to this poor woman, there was no occasion, provided she did not obstruct; and then I went out of the room, and looked in occasionally, to satisfy myself whether she was obstructing or not; however, they were a long time dressing her, partly from her infirmity of body, and so on; and then at last it was done, and Mr. Chase said, there will be no more obstruction; I shall go, and I will send an officer down to the station to go to London with them, and I will telegraph to London that she is coming by this train, at a quarter to two; it was the first train, and that was done, and a cab was got, and they went down. She was dressed, and her brother and Mrs. Cumming and the policeman were put inside the fly, and one policeman went outside the fly, and they set off—there was no room for me, so I thought it my duty to see them safe out of town, and I went down in another fly; and when I got to the station, I found them upon the platform and the train was just going to start; and the nurse said her brother was going to start, and that he had gone for the tickets. She had not got the tickets—the train would start without them—and wanted to know what was to become of them.—Q. At this time, did Mrs. Cumming appear to be in sufficient bodily health to perform the journey without injury? A. I should say so, certainly, but I would make the distinction I did before; I had been consulted as to the necessity of sending her unnecessarily out of London, that would have been one thing, but the sending her back to London would be another; and then I found the police officer who went up with them.

Cross-examined by Mr. JAMES.—Q. In whose presence did you examine her? A. In the presence of Mrs. Watson and Mr. Turner.—Q. Did Mr. Turner examine her? or perhaps a more proper expression would be, did he cross-examine her in your presence? A. No; he asked her some questions about her property.—Q. This long statement that we have had of questions and answers, did they transpire in your presence? A. Not the whole of it, because part of it occurred in Sir A. Morison's presence.—Q. While you were examining her, did Mr. Turner put questions? A. He put questions at the latter end of my examination.—Q. So that I mean she was undergoing examination by you and by Mr. Turner at the same time in the course of the same interview? A. In the same interview Mr. Turner asked some questions about her property which I could not have asked her about.—Q. Were you aware that she had stated to Sir Alexander Morison that her property, her rental, was four or five hundred, or five or six hundred a-year, and that she expected her property would be wanted in the event of the railway passing through it, and that it would be 1500*l.* a-year if the railway went through it? A. I was not aware of that.—Q. Had you any conversation with Sir Alexander Morison before you went in, and subjected her to examination? A. No.—Q. Mr. Turner stated that she felt an indignation at you when you went in? A. No indignation, but about my saying that her fondness for cats was rather strange.—Q. Is it strange for a person to be fond of cats? A. I think so—to that extent it is a matter of degree.—Q. Is it strange to take a cat for a drive? A. Not a cat.—Q. Did you ever know ladies taking poodle dogs out with them? A. Yes, but not cats.—Q. Then you think the distinction is between taking a dog for a drive and taking a cat? A. I think there is a great distinction.—Q. That which might be evidence of soundness in taking a dog for a drive would be evidence of unsoundness in taking a cat for a drive? A. You know that a cat will not follow.—Q. Perhaps that is the reason for taking her in the carriage: you would make that distinction? A. I think taking a dog is a very great distinction.—Q. You have given your opinion that there is a distinction as to sanity between taking a cat for a ride and

taking a dog for a ride? — A. There is a distinction; we will not say what. — Q. There is nothing strange in taking a dog for a drive? A. No. — Q. What should you say of taking two dogs? A. That is a matter of arithmetic. — Q. I ask you, what should you say of a lady taking two dogs? A. I say that it is a matter of arithmetic. I should not say anything; that is no business of mine. — Q. Supposing you were called in to examine a lady upon a commission as to her sanity, it being stated that she had taken out two dogs for a drive, what should you say? A. That she took two dogs. — Q. Would you say it was strange? A. No, I should not. — Q. What do you say as to three? A. It would be approximating. — Q. Do you think that would be strange? A. That would be very unusual, three dogs. — Q. What would you say as to four? A. That would be still more unusual. — Q. Would it be strange? A. I think four would: a thing is strange which is unusual. — Q. You think a person may not have so much affection for a cat as for a dog in a sound state of mind? A. To be sure they may. — Q. You think they may. How many lap-dogs have you known kept by ladies in a drawing room? A. I never knew of more than one lap-dog kept by a lady. — Q. In speaking of cats, do you not know that at Brighton she had not the cats in the bed-room, and that they had been kept in the kitchen? A. I know nothing about it. — Q. Did you find any cats in the bed-room? A. No. — Come, Dr. King, I ask you to give me a candid answer. Have you not since ascertained that at that time what she stated was quite correct, that she kept the cats in the kitchen? A. No; I know nothing about it. — Q. Did you see any cats at all? A. No. — Q. You had not ascertained that she did not in this case keep them in the parlour, but that she had kept the cats in the kitchen? A. No, I do not know that; but her assertion to me was, that she never had kept them in her bed-room. — Q. I ask you, did you not point her attention to the circumstance? A. Not a bit. — Q. Did you not put the question—Do you keep cats in your bed-room? A. No, I did not. — Q. What did you say? A. I asked her if she was very fond of cats, and whether she had not kept cats, and whether she had kept them in her bed-room; it was in the preter-pluperfect tense. — Q. You did not apply the question to the present tense at Brighton? A. No. — Q. That you then put down as strange? A. Yes. — Q. Do you think that if a lady at her age, without society, and perhaps with some suspicion about her servants—do you think it a test of insanity that five cats were kept in her bed-room? A. I think it a very suspicious point, but one point alone will not prove insanity. — Q. Suppose you were called in, and a lady had done nothing more than keep five cats in her room, would you say that she was unsound? A. Not upon that point alone. — Q. I am putting an hypothetical case? A. It is no use going into hypothesis, we are upon matters of fact. — Q. I am asking you, if you were called upon to attend a lady to give an opinion of the soundness of her mind, at her age, without society, kept to herself, having suspicions of her servants, perhaps—I ask you, if you would say it was a test of insanity that she kept five cats? A. She was not a woman without society. — Q. Had you known her from 1846 to 1851? A. No, I had not. — Q. Be kind enough to answer my question. Assuming a lady of her age, without society, and not liking to trust her cats to her servants, would you give it as your opinion that that was a test of insanity that she kept five cats in her bed-room? A. I think it would be a very suspicious circumstance. — Q. Would you say it was a test of insanity? A. No, not by itself. — Q. You have spoken of her children? A. Yes. — Q. And her aversion to her children. I think you said she spoke in disrespectful terms of her children, and treated them disrespectfully? A. Yes. — Q. Have you known instances of the soundest people, where a son has married beneath his rank, or a daughter, that both the father and the mother had refused to see either? A. I have known an instance of a man marrying beneath his rank, and his father and mother wishing to see their child. — Q. Have you known the other? A. Never. — Q. It has never occurred in your experience? A. It has never occurred to me. — Q. Not to you personally. I am not assuming that you married below your rank, or that any of your sons or daughters have done so. A. That is what I mean, that generally I am not acquainted with such a fact. — Q. Would you say that dislike to a child, or a desire never to see her, or even to leave property to her, was a test of insanity, where a son or a daughter had married below their rank? A. Not a test independently. — Q. What would you say of that parent, 73 years of age, who told you that she would never see her child, because she married below her position in society, and would not leave her a farthing, would you say that person is insane? A. I would say that they were unsound to have such a mind and disposition. — Q. I am putting the case of parents who said they never would see a

daughter who had married below her condition in life, and would not leave her any property. A. That by itself is by no means a proper sentiment, certainly. — Q. Would it be a test of unsound mind? A. It would not be a test of unsound mind; it might be a crime, and crime is not insanity. — Q. What crime? A. I should think it a great crime, but still not an insane act. — Q. Do not insane persons entertain much more strong feelings than others, and manifest aversion in a different manner—is not that so? A. Yes. — Q. Might not that which would produce aversion in the mind of one person of sound mind not produce it in the mind of another? A. Yes. — Q. Then if a person says, "I will not leave my daughter anything," does not that manifest an aversion, and is it not consistent with a sound mind? A. Yes. — Q. Perfectly sound? A. That might or might not, but it would be no test in itself. — Q. Might it not be perfectly sound? A. Yes, because it would be the act of a villain. — Q. And what? A. An unprincipled man. — Q. But every villain is not insane, do you think? A. No, I say there is that difference. — Q. Might a sound person, of thoroughly sound mind, entertain an aversion to his child, and say he will never see his child, or leave him a farthing, because he has married below his rank? A. Yes; because he might be an unprincipled man, it would not follow that he was insane for that. — Q. Do you think the mere unforgiving spirit to a child having married below her rank is any test of villany? A. It is a test of an improper principle in the mind of a person. — Q. I suppose you have heard of parents' wills, and cutting off their children with a shilling? A. Yes. — Q. From causes more slight than marriage below their position? A. Yes. — Q. Now we will take the poison. Have you taken any pains to ascertain whether there was any truth in the statement about the fowl? A. No; I do not see how the stuff is to be got into the mouth of the fowl. — Q. Fowls have mouths, have they not? A. Somebody must have taken it, and poured it down the fowl's throat. — Q. Will fowls pick up sugar of lead with their food? A. Yes; but this was lead solution. — Q. Does oxalic acid very much resemble Epsom salts? A. The crystal is different. The one has been sold for the other. — Q. I suppose oxalic acid thrown down, if a fowl takes it, will kill it? A. Yes, if he had enough of it? — Q. You have taken no trouble to ascertain whether there were any facts upon which that statement of hers was founded? Did you ever see Dr. Barnes upon that? A. No. — Q. She stated to you that Dr. Barnes had analysed it? A. Yes. — Q. Did you ever see Dr. Barnes before you pronounced it a delusion? A. No. — Q. But you pronounced it a delusion at once without any inquiry? A. An improbability of that kind does not require to be inquired after. This court is the proper place to ascertain the facts. They will hear the pros and cons, and the facts and the opinions. — Q. You found that a delusion, without making any inquiry into the existence of the facts? A. Yes, I tried to ascertain the fact. She gave me no evidence to go upon. — Q. Did she not tell you Dr. Barnes had analysed it? A. No. — Q. Do you mean to state that? A. I do not remember it. — Q. Will you say she did not? A. I speak to the best of my memory. I do not remember that Dr. Barnes saw her at Worthing. — Q. Have you a sufficiently accurate recollection to enable you to state that Dr. Barnes had analysed it? A. I do not remember that. — Q. Did she tell you her medical man had analysed it? A. I do not think she did; she merely stated that a fowl had been poisoned by it. — Q. Is Mr. Turner's statement correct—he states that? A. He may have recollected, and I may not. — Q. You say that you were not aware of her physical infirmities at the time you first saw her? A. No. — Q. When did you become aware of them? A. Not till I entered this house. I did not know she had paralysis of the bladder, nor did I know that she had paralysis of the lower extremities. — Q. Did you make an affidavit, in which you stated that, from your examination of the said Catherine Cumming, it appeared to you that she might with propriety and safety be removed to London to an asylum. Did you make that affidavit? A. So she might. — Q. Did you make that upon your first interview? A. I do not know when that affidavit was made. — Q. Just remember. Did you not state that before you were aware of her physical infirmities? A. Yes; there was nothing, in my opinion, that I was aware of, that could prevent her being removed to London. — Q. You became afterwards aware of her physical infirmities? A. Yes. — Q. Did you assist the parties in putting her into the fly? A. No. I was there; I was present, but I did not assist. — Q. Who were putting her into the fly—the policemen? A. The nurse and her brother, and one of the policemen assisted. — Q. Did you push the poor old lady behind, and say, "You men do not know how to put a woman into a fly?" A. I believe I did say something of that kind, because I thought she ought to be lifted in. — Q. Was she screaming from pain at the time?

A. She did complain, now you mention it.—Q. Did she scream? A. I do not know whether I may call it a scream.—Q. You know what a scream is? A. She complained—the nurse ought to have told me she was in that state.—Q. Did you push the old lady behind and say, “You do not know how to put a woman into a fly?” A. I merely protected her.—Q. Did you say that? A. It is very possible I might have said it, because I thought they were very stupid, especially the nurse’s brother.—Q. Did you use that expression, “You men do not know how to put a woman into a fly?” A. I dare say I might; I think it very likely I did so.—Q. She expressed a desire, did she not—an entreaty, in fact, not to be sent by the railway? A. No; but Mrs. Hutchinson did; she said that being a lady, she ought to be sent like a lady.—Q. Did she say she had never been by a railway before, but always travelled by the road? A. I am not quite positive; but now you suggest that idea, it is possible she might have said that.—Q. What authority had you under this order? A. I had no authority, and did not give any commands; it was the nurse that did it all.—Q. What did you find she was labouring under, or what did you ascertain to be the extent of her physical infirmity, when you did ascertain it—on the third day? A. I did not ascertain it.—Q. Do you not know now? A. No; only from what I have heard since I came here. If they had gone about the thing properly, and given us proper information, we should have known what to have done.—Q. Did you not swear that it appeared from your examination of her that she might with propriety be removed to the lunatic asylum? A. I saw no objection to it.—Q. Did you examine her? A. I did not examine the state of her bladder, nor the state of her lower extremities; but I was convinced that she might be safely removed; and she was safely removed.—Q. You say, from my examination—did you examine her? A. Yes—so far the word examination has very different meanings. I did not inquire into the state of her lower extremities. If they had allowed me to see her on the Wednesday, this might have come out, and then I should have known.—Q. Did she request you to leave the room while she was dressing? A. I think she did, and so did Mrs. Hutchinson. I do not know whether it was a request, but I left the room immediately.—Q. Did not Mrs. Cumming request you to leave the room while she was dressing? A. I believe she did.—Q. Did she not appeal to your delicacy: did she not beg you to leave the room? A. And I did leave it.—Q. Did she not appeal to you? A. She did.—Q. I believe she appealed to you more than once before you did leave the room. A. No; I do not think that.—Q. Did she not appeal to you more than once? A. I did not leave in consequence of the repetition of it, but I left as soon as I found the persons there were beginning to dress her.—Q. Did you examine her on the Wednesday? A. They would not let me.—Q. Did you see the certificate of Dr. Hale that she was not in a fit state to be removed? A. No.—Q. Were you not informed that he had given a certificate that she was not in a fit state to be removed to a lunatic asylum? A. I was informed that somebody had.—Q. I must press the question. Were you not informed that Dr. Hale? A. I thought it was Dr. Barnes.—Q. Were you not informed before you assisted her into that fly, to be taken to the railway, that Dr. Hale had given a certificate that the lady was not in a fit state to be removed? A. No; but when the nurse was going to remove her, Mr. Ellis said, “Now you will recollect you do all this at your peril.”—Q. You state you thought it was Dr. Barnes; were you informed of the fact of some medical man having given a certificate? A. I understood that some person had been to see her, and said that she was not in a fit state to be removed.—Q. You said you thought it was Dr. Barnes? A. I had an idea that it was so.—Q. Was not that stated to you before you lifted her into the fly? A. No.—Q. When was it stated? A. I do not know; I think it was Mr. Turner who mentioned it.—Q. When? A. If he mentioned it, it was on the Wednesday afternoon.—Q. Now I am sure you wish to state what is accurate—I ask you whether before she left Brighton, and before the fly left the door to take her to the railway to the lunatic asylum, you had not been informed that a certificate had been given by a medical man that she was not in a fit state to be removed? A. I don’t know who informed me of it; I understood there had been such a certificate.—Q. Was not that before she left Brighton, before you got her into the fly? A. So I understood.—Q. Did you know to what lunatic asylum she was going to be taken? A. No, I did not. I did not know whether she was going to be taken to this Effra Hall, where she did go to, or whether she was going to the other asylum.—Q. Who gave the direction to take her to Effra Hall? A. I know nothing about all that.—Q. You knew she was going to be taken to a lunatic asylum? A. Yes.—Q. What necessity was there for taking her to a lunatic asylum at all? A. What necessity?

— Q. Yes, what necessity? A. If you will allow me to go into that. — Q. I will, you may go into that. A. In the first place, I considered she was unsound in mind, and a proper person to be in a lunatic asylum: in the second place, I considered, according to the information I had received, that she was living in a state of great discomfort, and that she would be, on the contrary, in a state of comfort. Do you want to know more?

— Q. Who gave you that information? A. Besides that, I have every reason to believe there were people robbing her of her property, under the weak state of health she was in, and that she was not able to protect herself. — Q. Who gave you that information? A. Mr. Turner. You asked me why I thought she should go to a lunatic asylum, and those are my reasons. — Q. Who consulted you first upon this matter? A. Mr. Turner. — Q. Have you known him before at all? A. No. — Q. When you went into the room, did she appear to be alarmed at all? A. Not when I went in. — Q. I believe she screamed very much when the door was broken open? A. She might; I did not hear that. I was not near the door; I was in the drawing-room. — Q. It was broken open the second time when you went, was it not? A. Yes. — Q. You broke it open yourself, did you say? A. Did I say so? — Q. Who broke it open? A. Mr. Chase. — Q. Mr. Chase was the man with whom the grappling was—a man grappling with him? A. Yes, a very proper way of treating the representative of the Lord Chancellor. — Q. You do not mean to say that Mr. Chase represented the Lord Chancellor? A. Yes, he did. — Q. That little man (pointing to Mr. Turner), do you mean to say that he represented the Lord Chancellor? A. Certainly, as an officer of justice, of course he did. — Q. And represented him when the policeman took her away?—you all represented the Lord Chancellor? A. Yes; we should not have gone there on a fool's errand. — Q. Tell me what authority you had to take her away. A. I did not take her away. — Q. But you assisted? A. I stood by. — Q. You took a fly to see her off? A. Yes, to be sure I did; I wanted to see an end of the tragedy. — Q. The end of the tragedy which you laugh at? A. You make me laugh: you have got the order of mirth, you know. — Q. You wished to see the end of the tragedy, and this is the last act, I suppose? A. It is to be hoped so, for all parties.

Re-examined by Mr. PETERSDORFF.—Q. Now you have been asked some questions by my learned friend Mr. James, whether keeping one dog or one cat in a room is a strange thing, and you said, No; or driving one dog or one cat in a carriage, and you said, No. Now I ask you, would you call it a strange thing if a lady were to have three dozen cats in her carriage as her constant companions? A. Yes, I should. — Q. You have also been asked by my learned friend whether keeping five cats would indicate a state of unsoundness. Now supposing a lady who keeps five cats were to have a clean table-cloth laid for them and clean plates, and each of them a separate cup for milk, and were also to administer wine to them, and in addition to that, were to allow them to perform all the offices of nature in the same room in which she sleeps, and ate and drank, and never allowed the dirt they made to be cleared away, nor anything done to clean the room, what would you say to that? A. All these circumstances put together indicate unsoundness of mind. You must not go any further than that a person may be sound upon one point and unsound upon a dozen others. — Q. Now you have been asked about parents having had strong feelings of hatred against their children. Suppose an instance in which a daughter marries without the consent of her parents, and a year or two intervenes, and then they are perfectly reconciled, and live on happy terms together for many years; after that, the parent imbibes a feeling of hatred against the daughter without any apparent cause, would that, in your opinion, be insanity? A. Yes, I think so, undoubtedly.

Examined by the COMMISSIONER.

Mr. Serjeant WILKINS.—There are one or two questions I would be obliged to you, Sir, to ask. Will you ask, first of all, whether it was not requested, particularly, by Mrs. Cumming herself, that either Mrs. Watson or Mrs. Hutchinson might go with her?

The COMMISSIONER.—Q. Did she state, or express any wish, about any other person being allowed to go with her? A. I think she did; but I am not quite sure about that.

The COMMISSIONER.—Q. Was the request made, and was it refused? A. That question makes me think there was a request made of that kind, and that the request was not acceded to.

Q. I think on the first day you signed what is commonly called a certificate? A. Yes; in the evening after the Commission. — Q. As a medical man? A. Yes. — Q. Was that a certificate that she was a person of unsound mind? A. It was. —

Q. Did you see any one else sign that but yourself? A. Yes, I saw Sir Alexander Morison sign it.—Q. Anybody else? A. And I think it was carried to Mrs. Ince afterwards.—Q. You have reason to believe that she signed it? A. I think she signed it afterwards. Q. You could give no authority for her removal, of course? A. Mrs. Ince may have signed it afterwards; only I and Sir A. Morison signed it at the time.—Q. She was removed away by the authority of Mrs. Ince, in fact? A. Yes.—Q. Did you see her off by the railway carriage? A. Yes.—Q. What carriage did she go by? A. First-class.—Q. Was she by herself in the carriage? A. No; the nurse and the nurse's brother, and one of the superintendents of police were with her.—Q. In the same carriage with her? A. Yes.—Q. They were by themselves? A. By themselves; I do not think any one got in afterwards.—Q. You were asked by the learned counsel, if it was any test of insanity that she was in the habit of taking cats in her carriage? A. I saw that it was a sort of a random thing of hers; I took it from her that she had two or three dozen cats in her carriage.

Mr. Serjeant WILKINS.—I would ask Dr. King whether, when she said she took two or three dozen cats out with her, whether she was not joking? A. She was not laughing; but she said, "O yes, two or three dozen."

Dr. Monro, called and sworn; examined by Mr. PETERSDORFF.—Q. I believe you are consulting physician to Bethlem Hospital and the Bridewell Hospital? A. Yes, I am physician to Bethlem Hospital, not consulting physician; I am senior physician to Bethlem Hospital.—Q. When did you first see Mrs. Cumming? A. I was to have gone to Brighton under the order of the Chancellor, but was prevented by illness.—Q. I will just draw your attention to the time when you actually saw her, and where you saw her? A. I saw her on the 6th and 8th of November, at Effra Hall, Mr. Elliott's asylum; and I saw her once more last Tuesday, on the 6th of January.—Q. Be kind enough to direct your attention to what passed between you and her when you saw her on the 6th of January? A. I found her in bed at Effra Hall, and we remained together something like an hour.—Q. Were you alone with her, or was any one present? A. The matron came up with me, and I think remained with me the greater part of the time; I am not quite clear of that; there was also a nurse standing near. Before I left, Mr. Turner came into the room, on the first occasion.—Q. Will you be good enough to tell us what passed, the inquiries you made of her, and what she said to you? A. I spoke to her of her daughters, and asked whether she had seen them. She exclaimed, "Don't mention them; they are the greatest enemies I have in the world; their only object is to rob and pilfer me of all that I have, and having obtained that object, I shall be free." She stated that Mrs. Ince, on one occasion, also attempted to strangle her. I questioned her further upon that, and she said she had every reason in the world to believe that that was her intention; she said that they had also attempted to poison her. The main topic of her conversation was strangling, and poisoning, and robbery, all of which she attributed to her daughters. I put some questions to her with respect to other points which I had heard of before, and she denied that she had ever accused Mrs. Ince of murdering her son. She also denied one or two other points of more importance; she told me she had never made a will; she could give no account of her property to me; I asked her the nature and amount of it—I could get no information at all. She stated that Mr. Haynes was her only friend in the world, and that Mr. Thorne was an enemy. She mentioned those facts which have been spoken of to me about the administration of milk to her, which Dr. Barnes had analyzed five years ago, and that then oxalic acid had been discovered; that it had been administered to a fowl, and the fowl had died. It is just possible there may have been by some chance oxalic acid in the milk, and Dr. Barnes may have analyzed it. I know nothing of that, but the main point, as it seems to me, was this, that she apprehended and feared that her daughters were going to poison her. I do not remember any other facts that passed; her mind was filled with apprehensions respecting her daughters robbing and poisoning her, and that was the main point which occupied her whole mind. I remained nearly an hour, and I left her on very good terms. She had only arrived a day or two from Brighton, I think.—Q. You say you saw her again? A. Yes, I saw her again on the 8th; she was then sitting up. Mr. Turner was not there on that occasion. I think the nurse was in the room, as far as I recollect; I stayed there not quite so long, perhaps forty minutes; I went over all the same points, which she confirmed in the same terms as she had stated them before, and I did not elicit any further facts. When I saw her on the 6th of January, last Tuesday, it was at her house, Gothic

Villa, Queen's-road, I then saw her in the presence of Mrs. Moore, and she received me in a very friendly way, and I had a good deal of conversation again upon the same points. I said, have you seen your daughter; surely you must have seen them? "Never mention them, never mention them; my bitter enemies." I asked her again about her property; I asked her whether she had 500*l.* a-year; she said, "Oh, no; nothing of the sort." I asked her whether she had 300*l.* a-year, she said, "Yes, it might be 300*l.* a-year." That was all the information I could get as to the nature and amount of her property. — Q. Did you ask her about what she had done with it? A. She said she had never made any will. She was quite confused as to any notion of the amount or value of the property; I gained, in fact, no information at all upon it, excepting what I told you about the 500*l.* and the 300*l.* — Q. From all the interviews and the opportunity which you had of observing her, did you form any opinion as to the state of the soundness of her mind? A. I certainly consider her of unsound mind; I certainly feel that this bitter feeling, with reference to her daughters, would influence her in every act of her life, and in the devising of her property. — Q. Could you form any opinion as to her capacity to manage her property? A. I have looked upon her as an imbecile; there is a good deal of playful shrewdness about her in some respects. She has powers of conversation upon many topics, but she, in my judgment, is an imbecile; she appears to me to be under the control of anybody that approaches her, as far as I can gather.

Cross examined by Mr. JAMES. — Q. Are you aware, Dr. Monro, of the fact of the former commission? A. I am aware of the fact, because I remember, upon the occasion of the former commission, Mr. Ince called upon me, stating that he might require my professional services on that occasion, but it did not appear to be necessary afterwards, and I was not consulted. — Q. Were you aware, before you had this conversation with her, of the arrangement which was made, by which part of her property was given up to her daughters? A. I did hear it from Mr. Ince, or from Mr. Turner, I forget which. — Q. As to this feeling about her daughters, did you ask her the particulars, or the reason why she had that feeling; the expression you used was, that she said, "They were the greatest enemies; that their object was to ruin her, and to obtain all she had?" A. Yes; I asked her why. I think she said, they were disposed to ruin her, or do her personal violence in some way. — Q. Did she state, that by that arrangement they had obtained a considerable portion of her property? A. No; she did not. — Q. She did not allude to that? A. She did not. — Q. Now, as to this poisoning, did you make any inquiry to ascertain whether there was any foundation for that? A. I had no means of making any inquiries. — Q. Did you mention Dr. Barnes' name? A. Yes. — Q. In the report, you say that poison was given in a cup at that time by her daughters, which, upon being analyzed by Dr. Barnes, five years ago, was ascertained to contain oxalic acid, by which a fowl was killed. A. Yes; those were the words. — Q. She repeated that? A. Yes; on two or three occasions. — Q. This, perhaps is the accurate statement? A. Yes; I think those are the very words. — Q. You were very accurate in making the report to the Chancellor? A. Yes. — Q. You did not inquire to ascertain as to whether there was any foundation for that? A. No. — Q. You have made none at all? A. I may have mentioned it to Mr. Turner. I forget whether I have. I do not know Dr. Barnes; I never saw him that I know of. — Q. Did she mention one daughter more than another? A. She mentioned Mrs. Ince as the most hostile. She particularly specified that strangling; she attributed that to Mrs. Ince. — Q. Did she tell you the circumstance, that she entered the room suddenly, and put her arms round her neck? A. It was in the bed room, and in her bed. I urged upon her the improbability of such an event, and she said, she had every reason in the world to believe it—the same expression she repeated last Tuesday. — Q. Do you remember her saying that she entered her room suddenly, and threw her arms round her neck? A. No, I do not recollect that; it appeared to me to be perfectly absurd. — Q. Did she not mention that fact, of her entering the room suddenly and throwing her arms round her neck? A. She stated that she put her arms round her neck; but I do not remember anything about suddenly. — Q. When did she say it happened? A. I forget in which of the villas it was; she removed several times; but I think it was at Maida-vale. — Q. You did not have much conversation with her about the cats? A. I did mention the cats, but I did not lay much stress upon the cats. If I am to speak of what I have heard in this place, I should say a good deal. — Q. But you said nothing to her about cats? A. I may have mentioned the subject of cats to her, but I did not push it to any extremity; I merely elicited that fact which was remarkable. — Q. Now, you

say that upon that occasion she thought her income was about 300*l.* a-year? A. Yes. — Q. Did she tell you how it was derived? A. No. — Q. Did you ask her? A. I may have asked her. — Q. Did she tell you? A. I do not remember the source from which it was derived; I spoke of her houses to her. — Q. Did she speak of her houses to you? A. Not before I mentioned it to her. — Q. Did she not mention to you how her income was derived? A. No; I think not; but I will not be clear upon that point. — Q. You did not ask from what source her income was derived? A. No. — Q. How long did the conversation last? A. I should think about half an hour; it was up stairs in her bed-room, and Mrs. Moore was present. — Q. Is that the nurse who is with her now? A. I do not know that she is the nurse; she seemed more like a companion. — Q. I believe she is the wife of some physician, and a person who was named by the Chancellor to be present? A. I know nothing of her; I saw her once, and I have seen her since with Mrs. Cumming. — Q. She is the widow of a physician, and named by the Lord Chancellor, is she not? A. I do not know; but she seemed a very respectable person. — Q. She is the widow of a medical man, who was appointed by the Lord Chancellor to remain with her? A. Yes; she may have been.

William Vesalius Pettigrew, Esq., M.D., examined by Mr. PETERSDORFF. — Q. You are the medical officer of Effra Hall asylum? A. Yes; I wish it to be particularly mentioned that I am a medical officer, not a proprietor; I wrote to the *Times*, it having been stated so, but they did not put my note in. — Q. You are the medical officer of that establishment? A. I am. — Q. How long have you been the medical officer of the asylum? A. I have been the medical officer of those patients that were at another asylum; previous to this it was all one asylum—a male and female asylum—for seven years, but now the female establishment is conducted at Effra Hall, and the other at Fulham. — Q. Still you have the experience of seven years? A. Seven years; there were forty patients at one house and twenty at the other. — Q. Do you remember Mrs. Catherine Cumming being brought to Effra Hall? A. I do. — Q. What day was it she was brought there? A. It was October the 30th, 1851. — Q. On her arrival, did you have an interview with her? A. I did. — Q. Did the interview between you and her take place when you were alone together, or were there other persons present? A. I think there were other persons present. The individual who brought her was present, and Mr. Elliott, the proprietor, who also, I believe, came from the station with her, he was there, and a sergeant of the police, I think, in plain clothes. — Q. Now will you state, as nearly as you can, what passed at the interview you had with Mrs. Cumming on her arrival? A. I said very little to her on her arrival; of course she was a little agitated; I happened to be there, it was a mere accident my being there. — Q. You say she was a little agitated? A. She was a little agitated; I asked the nurse who she was, and she stated that she was Mrs. Cumming, a relative of Mr. Ince's, and as I suppose, unfortunately, I vowed it at the time, as perhaps tending to increase the excitement, I said to her, "Oh I happen to know Mr. Ince very well," thinking to calm her by that as knowing some of her friends. — Q. What was the effect of that? A. She said directly, "Do not mention him! do not mention him! I have nothing to do with him." So I thought I had got into a scrape. Mr. Elliott stated that Mrs. Cumming was under the impression that her daughters and family had ill-treated her; upon which Mrs. Cumming said, "And so they have, and they want all my money; I will have nothing to do with them." I did not choose to enter into any conversation about that at that time, and I asked her if she was fatigued? she said yes, she was fatigued. I said, "Where do you come from?" She said, "From my own house." "Where is that house?" "In London, to be sure." I said, "Are you not aware you have come from Brighton?" "No, I have come from London." I then asked her if she would have some refreshment—if she would have a little wine. She said she should prefer a little brandy and water, which I immediately ordered for her, and left her. She was unexpected. — Q. Did you upon the average see Mrs. Cumming twice a week? A. Yes, more. — Q. Had you, then, on those occasions conversations with her from time to time? A. On each time. I never saw her without having conversation with her of various length. She went away about the end of November. I do not know the date. I had an opportunity of seeing her from time to time—ten to fifteen times, perhaps; scarcely so much as that—ten to twelve times, perhaps. — Q. I do not wish you to go through each interview. A. I could not go through each interview; it was all pretty much the same. On the first of November I made these few notes, and this is pretty well the conversation, at least these are pretty well the substance of the conversations at most times. — Q. Will you state to the jury the topics of the conversa-

tions? (The witness refers to a paper). A. This was two days after she came in; she said she knew she was in an asylum. — Q. This is the 1st of November? A. Yes, two days after her arrival. Knows she is in an asylum, and says she came here from her house in London. — Q. She repeated that on the 1st of November, did she? A. Yes; that was the reason I asked her again, to see whether the same impression still remained. Does not know where her house is situated in London. Came by the railroad, and had never come before by a railroad. She said her daughters were plotting against her. Some one endeavoured to poison her by drugged milk. On subsequent occasions, she repeatedly told me it was her daughters, and more frequently mentioned Mrs. Ince's name than anybody else's. I asked her how she knew the milk was drugged, and she said her cat refused to drink it; when it was put to her cat the cat refused to drink it. I asked her what made her give it to the cat; she said she had no particular reason, but the cat refused to drink it. I asked her what became of it; she said some one did it, at that time, but afterwards she said that Mrs. Ince had done it, and that her daughters had. — Q. First that some one, then Mrs. Ince, and then her daughters? A. Not at the same meeting. I may mention, that on subsequent occasions, on more occasions than one, I said to her, what makes you state that your daughters drugged that milk, had your daughters any communication with the milkman, or were they plotting with your servants against you? No, they had not, but she had done it, and it was done, and Mrs. Ince had done it, and it was poison. I asked her how she was certain the milk was drugged, and she stated that she had sent it to a chemist to be analyzed. I asked her what chemist? she did not know his name—but to the usual chemist, where she had her drugs. Subsequently to that, on two or three occasions, she told me she sent it to Dr. Barnes, who analyzed it. I asked her if she had no further proof that it was poison? She said yes, it was thrown into the fowl-house, and a chicken was poisoned by it. I asked her what poison it was? and on every occasion on asking her that, she told me that oxalic acid was found in it; and on two occasions she said that grains of arsenic were found in it. I mention this particularly, because she said grains of arsenic; but not on more than two occasions she said grains of arsenic; she always said oxalic acid; but on two occasions stated that grains of arsenic were found in it. — Q. Was anything said about tea, do you recollect? A. No, I do not recollect her saying anything about tea, it was milk; because I put the question to her then, that the milkman must be in collusion with Mrs. Ince; but she did not seem at all capable of reasoning on that or any such matter. — Q. Do you recollect any other conversation, I do not wish to lead you? A. Since that time, her cats had frequently refused to drink poisoned milk. I had heard of the statement about the cats, but I did not trouble much about that. I asked her if she was fond of cats? and she said yes, she was very fond of cats. I told her I was very fond of cats, too; however, I did not enter into much conversation about that.

The COMMISSIONER.—Was that the expression, that they refused to drink milk, or poisoned milk?

Mr. PETERSDORFF.—Q. What was the expression as to milk? A. Frequently refused to drink poisoned milk, that was her expression. — Q. Anything else? She also stated, Mrs. Ince called to see her, and endeavoured to strangle her. I asked her where she lived at that time? and she stated at that time Mr. Ince was plotting against her liberty, and this occurred at Howley Villas. I know nothing about Howley Villas, but here is the expression she used. I asked her in what house it was? She said she was sitting at dinner, and her daughter came up and put one arm round her neck, and attempted to strangle her, but that she halloed out. — Q. Did you converse with her at all about her property. A. Very little. I asked her several times what property she had, and she did not know. When she came, I asked her if she had got any money in her pocket; no, she said, not a penny. I asked her if she knew anything about her property? No, she did not know anything about it; she had houses, but she did not know anything about them, or about their value. — Q. Did you ever talk to her at all about a will, or about making arrangements as to the disposition of her property on her death, or anything of that sort? A. No, I did not talk about that; I did not like to excite her, my habit is always to keep the patients as quiet as possible. — Q. With respect to her gesture, manner, and demeanour, was there anything remarkable? A. I have not the slightest doubt of it. The peculiarity in answering questions, the way in which she moved her arms about, and so forth.

Mr. Serjeant WILKINS.—Q. Not the slightest doubt about it? A. About her peculiar gestures, that I considered the peculiarity of gesture similar to that which persons

of unsound mind use; her way of answering of questions—there was a peculiarity about it.

Mr. PETERSDORFF.—In speaking of her daughters, what was her manner, mild, or violent, or what? A. She was, when speaking of her daughters, generally excited; in fact, always excited to a certain extent.—Q. From the opportunity that you had of observing her and conversing with her, what is your opinion as to the state of her mind? A. I have no hesitation in saying, that she was decidedly of unsound mind.—Q. Have you formed any opinion as to her capabilities of managing property? A. No person labouring under such delusions, if they are delusions, with respect to her daughters, can possibly be able to manage her affairs, her money affairs, property affairs.—Q. What was the state of her bodily health during the time she was there? A. Her bodily health improved while she was there.—Q. Is she capable of moving about, walking about? A. She was capable of moving, she laboured under paralysis of the bladder, but the same night she came, the fire not being lighted in the room where she was, we asked if she would come down into the library, where the books are, it is called the library, and she walked down stairs with the assistance of a nurse. I am quite certain there must be twenty stairs, with a good wide staircase, but she walked down stairs, with the assistance of a nurse, and had her tea.—Q. Did she continue the whole time she was in the establishment walking and moving about? A. I never saw her moving about; when I went to visit her, she was either dressed and sitting on her bed, or else sitting in a chair near the fire.

Cross-examined by Mr. Serjeant WILKINS.—Q. If I understand you clearly, sir, you made known to Mrs. Cumming that you were a friend of Mrs. Ince's almost immediately on your introduction? A. I did.—Q. Were you aware at that time of her dislike to Mrs. Ince? A. About two years previously Mrs. Ince had asked me to go and see Mrs. Cumming.—Q. Will you be kind enough to answer my question? A. I must explain it.—Q. Answer the question, yes, or no. Were you at the time aware of the fact, that Mrs. Cumming entertained a strong dislike to the Inces? A. Not at that moment.—Q. Not at that moment? A. No.—Q. What do you mean by that? A. I mean this, that I had been aware there was some aversion two years previous, but at that moment I had forgotten the circumstance; I was perfectly unaware of Mrs. Cumming coming into the place.—Q. Have you attended Mrs. Ince yourself? A. I think I saw her once for a bilious attack, about a year and a half ago.—Q. Did you see her only once? A. As far as I am acquainted with that, only once for that bilious attack, but I have seen Mr. Ince several times.—Q. Have you any interest in this Effra Hall? A. Not a particle; I have less interest in it than any medical man had in any institution whatever.—Q. Do you think that violence and undue gesture indicates insanity? A. I do.—Q. Then be a little calm, please. A. I will; and hope I shall not have to retaliate.—Q. Were you connected with this establishment in the year 1847. Do you happen to know at that time the Commissioners intimated their intention to withdraw their licence from Effra Hall? A. I was not there at that time.—Q. Not in 1846. A. Not at any time that any intimation of the licence being taken away from that house had I been there, it is since that time that I was appointed.—Q. I thought you said that you were there seven years. A. About seven years; I do not know the time I did go, it was after that time.—Q. If you were seven years, I should think you would have been there on the 4th of February? A. It was in 1846 I went, but it was later than February, decidedly.—Q. Will you be kind enough, if you please, to give the gentlemen of the jury a definition of the word delusion. A. That which is stated and does not exist. Q. That which is stated and does not exist? A. As having occurred, and never did occur.—Q. Then you think if a person were to state something as having occurred which never did occur, that that would be, in your sense of the word, a delusion? A. Yes; with this addition, that when on being argued upon, and shown it could not have occurred, they still adhere to the same delusion.—Q. Suppose a person were superstitious? A. Then he is a person of unsound mind.—Q. Then you mean to say, that a superstitious person would be of unsound mind? A. Yes.—Q. Superstition argues an unsound mind, you say? A. In a certain degree.—Q. Then our forefathers were all mad? A. It may have been, there are very few who are not mad.—Q. Then at the time of the trial by ordeal, our forefathers were all insane? A. No doubt of it.—Q. Now I give you an opportunity of thinking, for your own reputation, think before you repeat that answer; you mean to say that superstition argues unsoundness of mind. A. Yes, I do.—Q. Then you believe that a man who believed in the trial by ordeal, which is called the ordeal touch, you believe that

man was of unsound mind? A. Yes, I do; just as much as I should believe a man had not got his stomach right if he had a pain in it. It was not a healthy condition of mind, and it is not a healthy condition of stomach to have a pain in it. — Q. I think I can give you a definition, if I may be allowed to do so, without profaneness, which in my opinion is the best definition of a delusion, and I find the great Apostle of the Gentiles giving this definition of a delusion, and you will tell me whether you agree with it—"For they shall believe a lie." Do you believe that to be a good definition of a delusion? A. Yes; because they are made verily afterwards to comprehend it that it was a delusion. — Q. Who are made? A. Those to whom it was sent. — Q. I heard of incoherence. A. Perhaps, then, you will be kind enough to read your passage again. — Q. "For this cause God shall send them a strong delusion." A. What was your cause? — Q. No matter what the cause was, pray do be serious. A. I am serious. — Q. "For this cause God shall send them a strong delusion that they should believe a lie." I sought for some hours among different authors for a definition of the word "delusion," and that struck me as being the best I could find. Do you believe that to be a true definition of a delusion, "that they should believe a lie?" A. Yes, because it should be proved to be a lie afterwards. — Q. Because it would prove to be a lie afterwards? A. Yes, they should be cognizant that it was a lie. — Q. Is it a delusion to believe a lie? A. No, not a delusion to believe a lie. — Q. Is it a delusion to believe in the existence of that which has no ground? A. Yes, I should say it was? — Q. Supposing the foundation not to justify the superstructure, if I may use such a phrase, would that be a delusion? A. Well, I decline answering these questions in that way. I will not enter into what the definition of a delusion is. — Q. But indeed you must; you have come here to instruct these gentlemen upon this point. A. No; I do not come here to instruct you what a delusion, more than what insanity, is. I should like to see a man who could give a definition of insanity.

A JURYMAN.—You can give us your opinion, you know.

Mr. Serjeant WILKINS.—My questions are not only regular, but they are necessary.

A JURYMAN.—Quite so.

The COMMISSIONER.—The questions are right enough, they are quite regular.

Mr. Serjeant WILKINS.—Q. Do you refuse to answer them? A. I refuse to enter into any argument on any scriptural affairs in this case. — Q. I do not want you to enter into any argument on scriptural affairs. I quoted from Scripture, and I said it without pretence, because I believed it to be the best definition I have ever seen. I quoted from Scripture the definition of a delusion, and I ask you, whether you think believing in a lie constitutes a delusion? A. If I consider believing in a lie constitutes a delusion? — Q. Yes? A. Believing in a lie to be a delusion? — Q. Yes, believing in that which does not exist, which is not true. A. If you know it to be a lie, it cannot be a delusion; he cannot believe in it if he knows it to be a lie. — Q. Then does believing in a lie constitute a delusion? A. No, certainly not, if he believes it to be a lie. — Q. How can he believe in it if he knows it to be a lie? A. If a man believes in a lie, and cannot prove it otherwise, until it is proved to be otherwise, you may consider it a delusion. — Q. I ask you if imperfect reasoning on pre-existing facts will constitute a delusion—imperfect or erroneous reasoning on existing facts, will that constitute a delusion? A. Will you repeat your question?

The COMMISSIONER.—Q. Is imperfect reasoning on existing facts a delusion? No answer.

Mr. Serjeant WILKINS.—Q. Improper reasoning, or erroneous reasoning, on existing facts, is that a delusion? A. No. — Q. You know you stated just now, in your answer, which you gave us much more confidently than any other medical gentleman, we have had your opinion; you have said, there is no doubt but that she is decidedly of unsound mind? A. So I believe. — Q. Now, why? A. Because she has the same impressions on the same delusions, and it is continued whenever you speak to her about it. If the lady was here, I would show you in five minutes. — Q. You believe her to be insane, because she entertains delusions? A. Yes. — Q. Which is the delusion to which you refer? A. The poisoning of the milk by her daughters. — Q. In the first instance, she told you that somebody had put poison in the milk? A. Yes. — Q. Did she not tell you that Dr. Barnes and another gentleman had analyzed it? A. Yes. — Q. Did you take any pains to ascertain that that was true? A. Yes, I did. — Q. From Dr. Barnes? A. No, but from head quarters; she told me her daughters had done it, and I consider her daughters as good testimony as Dr. Barnes. — Q. You

say she told you somebody had put poison in the milk? A. Yes; that was the 1st of November. — Q. She also told you Dr. Barnes had analyzed it? A. Yes. — Q. Did you go to Dr. Barnes? A. No; to her daughters. — Q. Was any person present at any of these conversations to which you refer? A. The nurse. — Q. When she mentioned the daughters? A. The nurse always. — Q. Is she here? A. I do not know; I have not seen her. — Q. What is her name? A. I do not know her name. — Q. Either of her names? A. I do not know either of her names. — Q. You know her when you see her? A. Perfectly. — Q. But you have not seen her here? A. No. — Q. Is not she the very same person that is now attending Mrs. Cumming at her own house? A. I believe she is. — Q. Did you regard her angry displeasure towards her children as a delusion? A. Yes; I said I thought it unnatural. — Q. Have you taken any pains to inquire into the history of their proceedings and dealings with their mother? A. Yes, I have; I took great pains about this case altogether. — Q. Were you aware that at one time during the mother's illness they never came near her for three years? A. No, I was not aware of that. — Q. Were you aware that they had confined her before in a lunatic asylum? A. Yes, I understand properly upon certificates. — Q. Were you aware she was taken away under the surveillance of a policeman, with a strait-jacket on? A. At what time? — Q. During the lifetime of their father? A. No, I was not aware of that; but she might have needed it. — Q. Were you aware of the fact? A. No; but she might have needed it. — Q. That may be, and she might not? A. She might not. — Q. Are you not aware, whatever be the real facts of the case, that she herself is under an impression yet that she did not need it? A. I suppose she is; I never knew an insane person that was not under the same impression. — Q. Were you aware that in 1846 they presented a petition for a commission? A. Yes. — Q. Were you aware that that extended over the period of eleven days? A. No; because I am not aware of the particulars of it. — Q. Were you aware that there was no verdict, and that her daughters consented to the liberation, on a portion of the property being assigned to them? A. I was aware of that, through the *Times* newspaper, the other day. — Q. Did you not know it before? A. No. — Q. Were you aware, that in 1851, the very same persons presented a petition to deprive her of her liberty? A. This last November. — Q. Taking all these circumstances together, with her impression she is a sane person, do you think it unnatural she should entertain feelings of dislike and anger towards the persons who had caused all this? A. Taking all things into consideration, taking into consideration what I have read in the *Times* newspapers? — Q. No, do not; consider the facts I have laid before you; do you think it unnatural or unlikely she should entertain a strong feeling and dislike towards those persons? A. It depends upon whether she knows what the cause has been of it. — Q. I told you just now, you stated to me, in answer to a question from me, that she believed herself to be sane; under that impression, believing herself to be a person of sound mind, do you marvel that she should entertain a feeling of dislike towards the persons who sought to confine her, and allowed the jury to leave her at liberty on a division of the property? A. No; because many unsound persons have the utmost antipathy to their best friends. — Q. I ask if you mean to give that as a reason for their dislike? A. Of course, she would have a dislike to it; she is labouring under delusions altogether with regard to that. — Q. So you say; but I will show that she is not labouring under half the delusions that you are. I ask again, do you marvel at a person, tried as she has been, believing herself to be of sound mind, do you marvel that she entertains one reason? A. Believing her to entertain opinions that she is not insane, I do not marvel at it. — Q. What is your answer? A. Considering that she believes she is not insane I do not marvel at it. — Q. Should you think it unnatural that she should entertain feelings of dislike towards persons so treating her? A. Yes; because the circumstances could not take place. — Q. You might take my hypothesis entire. Supposing that that person always entertained a feeling of strong dislike towards the person so treating her? A. I think it impossible a person of sound mind could be so treated. — Q. You might take my hypothesis as I put it? A. I will allow your hypothesis, then. — Q. Supposing that true, should you wonder at a person of sound mind entertaining feelings of strong dislike towards a person irritating them? A. No; I will allow you your hypothesis. — Q. Did she not say, that when Mrs. Ince came up to the room, and put her arms round her neck, her daughters and her family at that time were plotting against her? A. Yes. — Q. Did she ever complain to you of the marriage of Mrs. Hooper? A. No.

Re-examined by Mr. PETERSDORFF. — Q. My learned friend asked you some ques-

tions with respect to the withdrawal of the licence of this establishment, do you know whether the parties who are now the proprietors of it, are the same parties? A. No; they are not the same parties.

Mr. Serjeant WILKINS.—Was he one? A. I believe he was, but it was on account of some family quarrels.

Mr. PETERSDORFF.—I understand you to say, these are not the same proprietors? A. No.

Mr. Serjeant WILKINS.—But Mr. Elliott was one of the proprietors? A. Yes; and there was a separation of partnership owing to some family quarrel, and the licence was restored; I was not the medical man at that time.

Mr. PETERSDORFF.—I asked you some questions of rather a medical character, but in what sense did you understand the word "superstition," when my learned friend used it? A. As a person superstitious. — Q. Superstition may exist with respect to a variety of facts. What construction did you put on that? A. A person believing in unnatural causes, defending a proposition on unnatural causes. — Q. When you speak of unnatural causes, do you mean physical failings, or mental theories, or what? A. I will give you an instance the Serjeant himself mentioned, by trial of touch. — Q. You would say that was superstition? A. Yes.

Mr. Serjeant WILKINS.—He said that was evidence of an unsound mind.

Mr. PETERSDORFF.—When you were answering questions as to what would constitute insanity, with respect to erroneous belief, will you explain what you think erroneous belief, so as to constitute insanity? A. A person who is impressed that a certain fact has taken place, or that something has taken place, and on arguing with them, and showing that it is utterly impossible that such can be the case, still he continues in the belief. — Q. I presume you would not apply the same doctrine to mere matters of theory, or doctrinal matters, on which differences of opinion might exist? Certainly not. — Q. Your answer applied to real demonstrable facts? A. Real demonstrable facts. — Q. Supposing the same dislike of the daughter had existed on the part of Mrs. Cumming prior to 1846, and before any attempt at all to prosecute the Commission, what would be your opinion then as to the state of her mind? A. I should say it was just the same.

Hugh Welsh Diamond, M.D., sworn, examined by Sir F. THESSIGER.—Q. I believe you have been for a great number of years accustomed to the care and treatment of insane persons? A. I have. — Q. For how many years? A. I should say for thirty years; as a child, my father had an asylum in which I was brought up, and I was his apprentice. — Q. I believe at the present you are a physician to the Surrey Lunatic Asylum? A. I am the resident medical officer on the female side. — Q. How many patients have you under your care? A. I have at this time 434; I have also an opportunity of visiting the males, amounting altogether to upwards of 800 patients. — Q. Your attention has been devoted for a great many years, has it not, to the consideration of the treatment of insane persons? A. It has. — Q. Were you requested to visit Mrs. Cumming in the course of last year, and did you see her? A. I was asked to see her one day in November, and I could not conveniently do so until the 16th. — Q. I believe you saw her in Effra Hall, in November, in the asylum? A. I saw her in November at Effra Hall. — Q. And in the following month of December, I believe you saw her at her own house, where she is now? A. I did. — Q. Now upon the first occasion of your seeing her, did you see her alone, or was there anybody in the room? A. There was a female servant; there were several on the second occasion. — Q. How long did your interview with her last upon that occasion? A. It was an hour to an hour and half. — Q. Had you been previously acquainted with the nature of what were called her delusions? A. Very imperfectly so. — Q. But so as to enable you to apply tests, if I may use the expression, to her mind? A. I might have learned more, but I thought I had enough to obtain any delusion or insanity if it did exist. — Q. Upon that occasion, did you find that she stated things which you considered were delusions? A. When I first went into her room, she declined to speak to me. She was eating her dinner. She had a breast of fowl, and was sitting at the table. I asked her to proceed with her dinner, while I warmed my hands a little. She then asked me what brought me there. I told her (I thought it better to be candid with her) that I wished to ascertain the state of her mind. She then seemed irritable, and said she had convinced a jury of her country already that she was of sound mind. I then said to her, I believe you have some daughters, Mrs.

Cumming. And she said, "Do not mention them." I said I had forgotten the name of the other daughter, but I recollected the name of Mrs. Ince, is she your daughter or your daughter-in-law? And she said, "You have spoken a true word; she is indeed a daughter-in-law, and not a real daughter." She told me her daughters were vile wretches (I think that was the very word or a similar word), and they had treated her very ill. I told her I had heard they had even gone as far as to attempt to poison her. And she said they had. I asked her to explain to me how that was accomplished. She told me Mrs. Ince had put some poison in her cream.

The COMMISSIONER.—Cream? A. Cream. I asked her how she had done it, and she did not reply. I said, how did you know poison was there? She said, "I saw it." I said, had you any reason to suspect it? And she replied again, "I saw it." I asked her if it was curdled, that she saw it. She said, "No; it was not curdled." I said, how do you know it was poison then. And she said she sent it—I do not know whether she took it, because I do not know that she would walk, but my impression is, that she said she took it to a chemist, and that he had analysed it and pronounced it contained oxalic acid, and that he was right was proved by its having poisoned a fowl to which it was given. I asked, what did Mrs. Ince mean by putting this poison there? She said she could not answer that. I asked her whether she was always in the habit of taking cream, or whether this cream had been sent her as a present from Mrs. Ince. She told me she always took cream, and not milk. I asked her very closely whether the milkman had any hand in it at all; and she intimated that I could know something about it. She said, "Perhaps you know." I then said, it is a very serious thing for any one to attempt to poison you. She said, "Oh, they would do it again; at this time they would do it if they could." I said no more upon the subject of the poison, and I asked her how long she had been there. And she said, "Oh, a few days." I asked her where she came from, and she could not tell me. — Q. You say she could not tell you—what did she say? A. She looked confused, and could not reply at all. I said, do you know where you came from? And she did not reply a second time. — Q. You asked her where she came from, she looked confused and did not answer you? A. Yes, she did not answer me. — Q. What next? A. I said, you are a person of property; could you tell me anything of the nature of your property? She said, "I cannot answer you. You will answer, I am mad. I will answer a jury of my country," she said. — Q. Was there anything else? A. I do not remember anything else important. She said something about a will. I asked her, and she did not answer me distinctly. And she said, if she was only sure she had £150 a-year for her, she would be a happy woman—something to that effect—I know she said that 150*l.* a year would make her a happy woman.

Mr. Serjeant WILKINS.—Did I understand you to say a clear 150*l.*? I thought you said a clear 150*l.* a-year. A. No; I do not remember the word "clear."

Sir F. THESIGER.—You say this interview lasted about an hour and a half? A. From an hour to an hour and a half. I went in a fly, and kept the man waiting about that period. — Q. Did you find that it was easy for you to obtain these statements from her, or had you any difficulty? A. At first I thought she was irritated at my disturbing her from her dinner, but she afterwards was in a good humour and appeared agreeable, and wished me good day and so forth. I could have obtained any lengthened statement from her, but I was not aware of all this inquiry. I could have obtained any length of statement from her, and she would have given to me freely, but that fact of what I considered so palpable a delusion about seeing the poison, that I did not think it necessary to go further. — Q. What was the impression that that interview left upon your mind as to the state of Mrs. Cumming's mind? A. That she was a person of unsound mind. I would upon examination have signed a certificate that she was a person of unsound mind. — Q. And you entertained, of course, no doubt upon the subject? A. None whatever. — Q. Was there anything in her appearance or manner which struck you? A. Quite so. She was very much excited at a trifling thing, holding up her hands, and an uncertainty about her which you do not see, I think, in a person of sound mind. In speaking of her daughters the bitterness against them seemed to be great. — Q. You saw her afterwards at her present residence, Gothic Villa, I understand. A. Yes. — Q. What day was that? A. On the 29th. — Q. What persons were present at the time of that interview? A. I accompanied Dr. Davy.

— Q. And were there other persons in the room during that time? A. There was a lady whom I saw here during the first day of the inquiry with Mrs. Cumming. I think Mrs. Moore; and there were two or three other attendants standing about the room. — Q. How long were you with her upon that occasion? A. I should think about an hour, a short hour. — Q. Did she know you again at Effra Hall? A. She did. I said to her, you have seen me before, Mrs. Cumming. She said, "Yes, I did; I saw you at the madhouse." — Q. What did you say upon that occasion to her? A. I said very little to her. Dr. Davey spoke to her principally. I occasionally made some observations, but she declined. — Q. Do you recollect what passed with Dr. Davey and the lady? A. She declined to answer nearly everything which Dr. Davey put to her. She declined to answer, and then she became excited and would not restrain herself from answering relative to her daughters' ill-usage, and so forth, Mrs. Moore, who was present, said, "You are too weak, Mrs. Cumming, to answer, you will excite yourself," and so forth. And then Mrs. Cumming, in a low voice, said, "You are of the opposite party."

Mr. Serjeant WILKINS.—Who did she say that to—you? A. She said to me, —that was in reply to an observation I made, which was this, I said, "You seem, Mrs. Cumming, to be quite as well as when I saw you at Effra Hall, and then you answered me without any hesitation; and then she said, "You are of the opposite party." I also said, I have heard it stated that Dr. Conolly and Dr. Winslow had said you have partial paralysis of your legs; and she said, "They are too great gentlemen to tell a lie;" and she was very vehement when she made use of that expression, she held up her hand with great emphasis. — Q. As I understand Dr. Davey put various questions to her, did she say, I decline to answer, or was she silent? A. She declined to answer. — Q. Did she say, I decline to answer, or was she silent? A. She said, "I decline to answer," and of some she took no notice, but she frequently said, "I will answer that in court." Dr. Davey, I may say, was very frequent in his questions, and more than once, I may say, was very persevering in his questions, and more than once, I may say, Mrs. Moore said, "Dear Mrs. Cumming, you are very much fatigued, or in a very weak state." — Q. Did it appear to you or not, that Mrs. Moore was checking her from answering? A. It certainly did. — Q. Had you an opportunity of judging whether Mrs. Moore had appeared to have influence ever to prevent her answering? A. Undoubtedly she looked to Mrs. Moore; she cast her eyes to Mrs. Moore, and Mrs. Moore left off sowing, she looked up. — Q. Did she answer any questions? A. She did, with great excitement relative to the treatment of her daughters. — Q. Was that after what you stated? A. She could not restrain herself. — Q. And what did she say upon the subject of her daughters? A. I do not know that she entered into anything very particular, but she screwed her teeth together, and quite intimated they were unfriendly with her. — Q. She manifested her feeling against her daughter? A. Very much so. Dr. Davey said to her, "Have your daughters really ill-used you?" and she said, "Look to the papers, look to the courts, and there you will see it all detailed." — Q. Did she say anything more? A. I do not remember that she did anything that would impress me specially. — Q. Did it appear to you from that interview, from what you stated, that Mrs. Cumming was a person who was capable for a time of being controlled so as to prevent her delusions being shown? A. It did. I do not believe she could do it for any length of time; she would not be able for a dozen hours, or a less time than that. I should say if she was under free control for action a dozen hours in an asylum, anybody would obtain all the ideas from her. — Q. If she were left without any controlling influence for twelve hours, anybody even to have to see her, she would exhibit these delusions? A. I believe she could. I believe she could not be in one of my wards for twelve hours without anybody doubting her sanity. — Q. Do you consider that, from the interviews you have mentioned, you had a fair opportunity of judging of her state of mind? A. I do. — Q. And is it your opinion that she is or is not in a sound state of mind? A. I think she is in an unsound state of mind. — Q. Do you consider she is capable of governing herself and her property? A. I do not.

Cross-examined.—I am a Doctor of Medicine and Surgery, of Kiel, in Denmark. I am the only person in this country who possesses that degree, I believe. I think it a very honourable degree. I obtained it after writing a thesis on insanity. — Q. You have assumed, I presume, these impressions on her mind, with reference to the poison and with reference to the children, are delusions? A. I do. — Q. I do not

think you will find it very difficult to give me the definition of the word "delusion." Will you give me your definition of a delusion? Such a delusion as constitutes mental unsoundness? A. A delusion is that where a person imagines a thing which really does not exist. — Q. But supposing a person under the stress of circumstances to reason unsoundly or erroneously upon existing facts, you would not call that a delusion, would you? A. In this identical case she did not argue from facts. — Q. But answer that question if you please. Supposing a person, — because persons reason as their minds are disciplined, or according to their capacity, or according to their education, — supposing a person to reason erroneously on existing facts, that is, to draw unjust conclusions which a man of good reasoning powers would immediately discover to be a fallacy, would you call that such a delusion as to exhibit unsoundness of mind? A. If those facts are so far from the truth, I may say, or to ordinary belief they do not exist. — Q. For instance, supposing an untutored person on a dark night to have seen, for instance, a white horse in the distance, and to have brought his mind to believe that what he saw was an apparition, would you think it a proof of unsoundness of mind? A. Certainly not. — Q. Do you agree with the last witness, that a belief in the ordeal by touch would constitute unsoundness of mind? A. No, I do not. — Q. Supposing the lady to have been treated in the way that the papers to which she referred you would disclose — supposing her to have been taken from her house by two women and a police officer, in a strait-waistcoat — supposing her to have been confined for four months in a lunatic asylum — supposing afterwards a commission of lunacy to be taken out against her, and the jury to be discharged with the consent of the petitioner — supposing that during all that time, for ten days, she is subject to the gaze and questioning of various persons — supposing that time after time persons are sent to cross-examine her as to her state of mind — supposing that the detective police are sent in pursuit of her, and all these facts are brought to her knowledge, and she has ascertained this has been done by the sanction of her children, should you think her dislike of her children, under those circumstances a proof of insanity? A. Not alone, I do not. — Q. Now, supposing this — suppose that on a certain morning three of her fowls are found dead, and upon the same morning, at the bottom of a tea-cup, in some milk, she found something that looks very much like oxalic acid — that afterwards the contents of the crops of these fowls are analyzed by a physician, and are found to contain poison, and she came to the conclusion that what she saw in the cups on the same morning was oxalic acid, should you think that such a delusion as to constitute unsoundness of mind? A. I do not; but that is not the fact, as she represented it to me. — Q. I am taking this hypothesis — she said there was poison in the milk? A. She told me so, and told me she saw it. — Q. Supposing when the milk was turned out it was found there was Epsom salts at the bottom of that cup, do you think it would argue unsoundness of mind, three of her fowls having been poisoned that morning, if she thought Epsom salts was oxalic acid? A. I think with a weak-minded woman it would not be so; the way you state it to me is very different from the way she did. — Q. Would that argue unsoundness of mind? Supposing you should find, for several years one of her children had absented herself from her, and should rush into her room unexpectedly, and embrace her mother very tightly round her neck, the mother at that time believing her family were in league against her, and she came to the conclusion that her daughter was attempting to strangle her, and afterwards she was convinced she was wrong, would you think that would argue unsoundness of mind? A. No; that was an erroneous conclusion, certainly, if it was so.

Re-examined by Sir F. THESIGER. — Q. Her daughters had not been as attentive to her as daughters ought to be, and did she come to the conclusion that they were endeavouring to take away her life by poison, should you consider that that argued soundness of mind, or unsoundness? A. Unsoundness. — Q. Now supposing there may be a fact existing, but that fact to be considerably exaggerated in mind, and from a fact so exaggerated false conclusions to be drawn, should you consider that to indicate soundness or unsoundness of mind? A. I think in an extreme degree it would produce unsoundness of mind; and I think in this individual case the feeling is so strong against the children, so palpably strong, that it constitutes unsoundness of mind.

Examined by the COMMISSIONER. — Q. You say you saw this lady in December

last? Yes. — Q. There were other persons present? A. There were; there was Dr. Davey, Mrs. Moore, and I think three attendants and women standing opposite to me; and I saw two standing behind the bed-curtain. There is a bed in the room, and two stood behind the bed-curtain, as if to hear what passed. There was a bed-curtain came along, and I saw two persons stand close behind the bed-curtain in the room. — Q. Mrs. Moore is a lady, I suppose? A. I do not know. I did not know her until I saw her in this room. — Q. Was she near Mrs. Cumming? A. She sat behind Mrs. Cumming—just behind her, if I may use such an expression. I should say with rather a Jewish cast of countenance. — Q. She was there in the room? A. Yes. — Do you think you had a fair opportunity, on that occasion, of judging of Mrs. Cumming? A. It would have been a very different thing. Yes, I am sure of it. She more than once said, "Dear Mrs. Cumming, you are very weak;" and then Mrs. Cumming immediately said, "You are of the opposite party." — Q. That was in answer to a question you put to her, that you had seen her at Effra Hall? A. No; that observation was at 59, Queen's-road? — Q. But I think you said, she said you had seen her before? A. Yes she did at the mad-house. She told me she had seen me before. — Q. Did you in any way remonstrate with Mrs. Moore? A. I did not. — Q. Did she know you were a medical man? A. She did. We were not allowed to see her until we respectfully sent our names in to her. — Q. She knew who you were? A. Yes; we were asked in a lower room; after waiting some five minutes, we went up stairs. — Q. And found her in her bedroom? A. With Mrs. Moore. — Q. It was after twelve o'clock in the day? A. It was about half-past one or a quarter to two. — Q. Mrs. Moore seemed to know who you were? A. Yes she did. — Q. You did not remonstrate with her? A. I did not. Dr. Davey was holding the main conversation I would say. — Q. He kept up the main conversation; but you asked her a few questions? A. Occasionally I put in a question. — Q. Did you attend her as a professional man? A. Yes. — Q. So that you did not have what you consider a fair opportunity of examining the lady. A. I certainly do. I consider it would have been a very different examination had she been left alone.

A JURYMAN.—In what sort of state was the room? A. A very clean and comfortable room, and so it was at Effra Hall.

The COMMISSIONER.—You say Mrs. Moore was there, and three other persons? —two behind the curtain. Do you know the person we have talked of is the nurse from the asylum? A. No, I did not; I do not know any of them; I could not specify any of them, only Mrs. Moore. There were three other persons present. I could not tell who they were, and I should not know them if they were produced to me.

James George Davey, M.D., sworn.—Q. You are a physician, I believe? A. Yes, I am. — Q. Are you resident medical-officer of the Middlesex County Lunatic Asylum? A. Resident physician of the Colney Hatch Lunatic Asylum. — Q. How long have you held that office? A. Since July last, the opening of the establishment. — Q. And I believe you were formerly one of the medical-officers at the Hanwell Lunatic Asylum? A. I was, some years, one of the assistant-physicians at Hanwell, under Dr. Conolly. — Q. I believe you have written a treatise on mental diseases? A. I have done so. — Q. I presume you have had great experience in such cases? A. For the last ten years of my life I have had very great experience in mental disorders. — Q. How many female patients have you under your care now? A. This moment I think I have 640, something like that—I will not be quite sure. — Q. Do you remember in December visiting Mrs. Catherine Cumming? A. I do. — Q. What day was that? A. It was yesterday fortnight. — Q. Was it upon the same occasion that Dr. Diamond has spoken of? A. It was. — Q. About what hour was it you went in the morning? A. It was between one and two, I think. — Q. In the afternoon? A. In the afternoon. — Q. Did Dr. Diamond remain in the room during the whole of the time that you were there? A. He did. — Q. Were any other persons there besides you and Dr. Diamond? A. There were three other persons present, a lady, I presumed, and two servants. — Q. You do not know the name of the lady? A. I have heard her name mentioned in this room. — Q. What was her name? A. I have heard it just now, but I did not pay much attention to it. — Q. Will you state, as nearly as possible, the conversation you had with Mrs. Cumming, and her manner and demeanour? A. On entering the room I saw Mrs. Cumming sitting on the right-hand side of

the fire-place, looking enfeebled and in delicate health, with her lower extremities wrapped about with a blanket; and opposite to her sat a lady, and I took my seat on the left-hand side of that lady. I first of all said to Mrs. Cumming—I believe you are aware of the object of my visit, and I am a medical man; and she gave me to understand that she was quite aware of the object of my visit. I think I commenced my conversation by asking her if she had not lately been in the private asylum of the late Dr. Millengen, at Battersea. She hardly cared to give me an answer; but she did at length confess that she had been there in that establishment. I made some inquiries of Dr. Millengen, having some knowledge of him—some identical knowledge of him—and I asked her how long she had been there. She told me either five or two months, I forget which, but purposely I took the opportunity of putting the same question to her a second time. She made a different reply, on the second occasion, to that she did on the first. She told me, on one occasion, that she had been there five months; on the second occasion she told me she had been there two months. I immediately pointed out that discrepancy in her statement, and she seemed annoyed at my having done so, or rather seemed annoyed at her own imbecility of mind. I spoke to her also concerning Dr. Barnes. I asked her if Dr. Barnes had not been, or was, her attendant. She did not like to reply to that; she fixed her teeth firmly together, and looked angrily at me. I then asked if Dr. Barnes had not been required to analyse some fluid which she suspected to contain poison. She did not reply to me—she would not reply to me. To my repeated questions on various subjects, she said—“I shall not speak to you and shall not notice you; you came here intruding on me, and speak in an irritating manner; I shall make all my replies when I am in court.” I also asked her if any other gentlemen had been to visit her—medical men. She would not reply to that question. I personally asked her if Dr. Winslow had not been to see her. She said he had; I think she said several times. I put some questions to her having reference to a conversation which Dr. Winslow may have had with her. She would not allow me to know what conversation had passed between that gentleman and herself, but merely said Dr. Winslow was a gentleman. I spoke to her also of her late husband, but she would give me no answer to any question I put to her on that head. I should say, throughout my interview with her, she treated me rudely, as no lady may be supposed to do, and gave me to understand that, if it were not for the common courtesies of life, I should be very soon shown the door. — Q. Were there any further topics to which you directed her attention? A. I did. I spoke to her about her daughters. I said I believed she had daughters. She did not reply to me then. Then I spoke to her again about her daughters. She was silent, and I said to her, at last, have your daughters been guilty, at any time, of acts of cruelty towards you? any acts of unkindness or cruelty, I think, were the words I employed; and she looked at me a moment, and I saw she was becoming influenced by what I said to her, and she was anticipating. She raised her left hand on high, and exclaimed, in a loud, sonorous voice, “Look at the papers and courts,”—I think were her words. It was either “look at the papers and courts,” or “read the papers and courts.” Throughout the interview she gave me abundant proof of being very imbecile in mind, and also of her being possessed with a variety of vague and unmeaning suspicions of everything and everybody. She was full of apprehension. — Q. Do you remember any particular statement she made with respect to suspicions? A. She had been so well tutored I thought that she was not allowed.

Mr. Sergeant WILKINS.—Really we cannot hear that.

Mr. PETERSDORFF.—You say there were three persons in the room besides you and Dr. Diamond? A. There were. — Q. Had you any opportunity of noticing whether any communication or influence was apparently exerted over her? A. Constant communications were being telegraphed from one side of the room to the other, and remarks made. — Q. From whom did these communications seem to come? A. More particularly from the lady on my right hand.

The COMMISSIONER.—She was seated on one side of the fire? A. Mrs. Cumming was seated on the right-hand side of the fire-place, and the lady on the left-hand side of the fire-place, and I was sitting on the lady's left hand; Mrs. Cumming was opposite to me. — Q. You were opposite Mrs. Cumming, and the lady was opposite Mrs. Cumming? A. Exactly.

Mr. PETERSDORFF.—You said you had a difficulty in obtaining an answer from her to the questions you had put? A. I had. — Q. Did anything occur to

enable you to say why you did not obtain these answers? A. I considered, from the influence which was exercised upon the mind of Mrs. Cumming by those present. — Q. Did you talk to her at all about her property? A. I did not—I think I did not. — Q. Or about the will? A. No, I did not. — Q. Was there anything else that you remember passed at this interview? A. I do not remember anything else. — Q. From what you heard do you think you had an opportunity of forming an opinion as to the state of her mind? A. I conceive that I had an abundant opportunity of forming an opinion. — Q. And what is the result? A. My opinion is that she is decidedly of unsound mind. — Q. Could you form an opinion as to whether you think her capable of managing her property and her own affairs? A. I am perfectly convinced that her imbecility of mind must prevent her from managing any affairs of any kind. — Q. I believe you did not call again? A. I did not.

Cross-examined by Mr. Serjeant WILKINS.—Q. Are you a contributor to a work called the “*Zoist*”? A. I am. — Q. Do you believe in mesmerism? A. Most certainly I do, and so do all right-thinking men. — Q. Then every man who does not agree with the notion of mesmerism, is not a right-thinking man? A. He either does not think sufficiently, or he is very prejudiced. — Q. Do you believe in clairvoyance. A. I do. — Q. Do all right-thinking men believe in that? A. All those who have investigated the question; but I do not see what relation that has to the question at issue. — Q. You do believe in clairvoyance? Pray have you stated that you have cured insane persons by the influence of mesmerism? A. I have cured three persons by mesmerism. — Q. What is your definition of a delusion? A. A belief in that which does not exist. — Q. You think that is a perfect definition of a delusion? A. No, I do not pretend to give a definition of it—in a general sense perhaps. — Q. For instance, I am not a right-thinking man, for I do not believe in the existence of clairvoyance? A. Because you have not had sufficient opportunities. — Q. I beg your pardon. Never mind whether I have had sufficient opportunities; I do not at all object to break a lance with you, physician as you are; but do you say that the fact of my assertion that clairvoyance is nonsense, argues unsoundness of mind on my part? A. To a certain degree. — Q. I am very glad I got that answer—it is what I anticipated. Then you would say, every gentleman in the room who asserts the same thing, is, to a certain degree, unsound in mind? A. His mental state is to be pitied; he does not know what is true. — Q. How the gentlemen of the jury will eat their lunch after that I do not know. Allow me to ask this, does the “consciousness of one’s imbecility or weakness of mind” argue insanity? A. Yes. — Q. Suppose, for instance, I were bowed down with my consciousness of my own ignorance and my own unsoundness of mind, would that consciousness argue insanity? A. Many insane persons are conscious of their insane indications. — Q. That is not an answer to my question. Does the consciousness of weakness of mind argue insanity? A. Why it may or it may not; it would depend on circumstances. — Q. Would you not rather say, that the wisest men are those who generally smart the most under the consciousness of their own incapability? A. They are wise men who do so. — Q. What do you term imbecility? A. Intellectual incapacity. — Q. Intellectual incapacity? A. A feebleness of intellectual powers. — Q. Feebleness of intellectual power is imbecility—what extent of feebleness? A. That would depend upon age, sex, and other circumstances. — Q. Feebleness of mind in a person of the age of seventy, is that imbecility? A. It may or it may not be, according to collateral circumstances. — Q. Then will you give me such a definition as I can make use of and rely on? A. It would depend upon the temperament of the individual, and the previous history of the individual, and the state of his general health. — Q. Well? A. Every case must stand on its own merits, I take it. — Q. I do not know that exactly; there are some cases that may be tested by general rules. Now I want to know, for the information of the jury, what you mean by imbecility? A. A feebleness of mental power. — Q. Will you be kind enough, if you please, to explain to the learned Commissioner and the jury, what you mean by persons telegraphing in the room? A. Why I meant by that, that the lady sitting on my right-hand looked more to Mrs. Cumming than she need have done, had she not been anxious to restrain her from the expression of feelings which may have gone far to prove her insane. — Q. Is that what you mean by telegraphing? A. That is what I mean by telegraphing—looking frequently towards her and at her. — Q. As you can interpret looks so well, did not

Mrs. Cumming several times look most beseechingly to that lady? A. I saw her look frequently towards that lady. — Q. But you interpret her looks. I ask you if Mrs. Cumming did not look beseechingly to that lady? A. She looked at her frequently, and it appeared to me she looked at her lest she should commit herself. — Q. I ask you if she did not look beseechingly at that lady? A. I am not aware that she did. — Q. Did you press her? A. Yes, I admit that I did. — Q. I should presume, then, that if you saw any interruption, knowing the authority with which you were clothed, I should presume that you reproved those parties whom you suspected of telegraphing? A. Most certainly I did not, for the best of all reasons—I wished to understand exactly the position in which they were placed towards each other. I wished to understand what it all meant. — Q. What what meant? A. This telegraphing. I wished to find out the real state and condition of this lady. — Q. Can you give any other instance of that which you call telegraphing, beyond that you describe? A. No. — Q. Your answer to my learned friend was, that they were telegraphing about the room—I have not taken down the exact answer? A. I think it was across the room. — Q. How many persons telegraphed? A. The lady on my right-hand I saw particularly engaged in it during the whole of my interview. — Q. What is that? A. This telegraphing. — Q. Looking, is it? A. Looking in a peculiar and significant manner from time to time. — Q. Did you complain at all before you left the room of any telegraphing? A. No, certainly not—I had no reason to do so. I did not wish to do so.

Re-examined by Sir F. THESSIGER.—Q. You say you made no remark with regard to what you call the telegraphing? A. No, I did not. — Q. You have given us the reason, that you wished to see what was the position of all parties? A. Certainly. — Q. I suppose your object partly was to see whether she would be influenced by those who were about her? A. That was exactly my object, to observe the strength of her volition. — Q. Now, you have been asked for various definitions by my learned friend, is it your judgment that there can be any general definition given of insanity or unsoundness of mind? A. I think there cannot. — Q. From your experience, are you able to say whether you can apply general rules unerringly, or whether each case must not depend on its own facts and circumstances? A. I think each case must depend on its own facts and circumstances. — Q. You have been asked particularly, with regard to imbecility, what is your definition of imbecility. Would you ascribe the appearance which you have represented the state of Mrs. Cumming's mind, would you ascribe that to imbecility, the sense in which you have given your definitions? A. Most certainly. — Q. Or to old age? A. Decidedly not to old age; it was an imbecility, a disease, which I saw in Mrs. Cumming.—Q. I will not enter particularly into the question of mesmerism and clairvoyance, and tell you how far I believe or disbelieve in it; but I believe there are persons of very considerable eminence who believe in clairvoyance and mesmerism? A. Of the highest eminence in all parts of Europe and America.

Examined by the COMMISSIONER.—Q. Did they understand in the room that you were a medical man? A. They did. I made it a point of mentioning the object of my visit when first I entered the apartment.

A JURYMEN.—You did not consider that you possessed power to order them out of the room? A. I did not wish it. — Q. Did you possess the power? A. I am not aware that I did.

Mr. Serjeant WILKINS.—Certainly.

Witness.—I did not wish to do it.

A JURYMEN.—Were you aware you possessed the power? — A. I was not aware of it.

Mr. Serjeant WILKINS.—Is this asylum of which you speak at Colney Hatch? A. Yes. — Q. I believe it is for incurable patients, is it not? A. No, it is the sister asylum to Hanwell.

Charles James Berridge Aldis, Esq., M.D., sworn, examined by Sir F. THESSIGER. — Q. You are a physician, I believe? A. I am. — Q. And a fellow of the College? A. I am. — Q. And are you a lecturer on medicine at the Hunterian School? A. I am. — Q. I believe you have not devoted yourself exclusively to cases of insanity? A. No. — Q. But in your general practice they have come within your knowledge? A. They have. — Q. Have you had considerable practice in those cases? A. I have had a fair share of experience. — Q. Were you

requested to visit Mrs. Cumming, and did you do so, and when? A. I was requested to do so, and I visited her at Effra Hall on the 16th and 17th of November. I visited her again on two occasions at Gothic Villa, St. John's Wood, on the 28th of November and on the 3rd of January.—Q. Upon the first occasion of your visiting her at Effra Hall, how long did you remain with her? A. About three quarters of an hour.—Q. Were you alone with her, or was anybody else in the room? A. There was a nurse in the room.—Q. One of the nurses of the establishment? A. One of the nurses of the establishment, and I think the matron was present. I heard a person near the door, which led into another room, and I asked the matron afterwards if she had been in the room. She said she heard what I stated, so I concluded it was the matron and one of the nurses.—Q. I believe your first visit to her was on a Sunday? A. It was. I had appointed Monday, but having received a letter from Mr. Turner, containing an urgent request that I should visit her, I was compelled to visit her on the Sunday.—Q. Did you make an apology for coming before she was up? A. I did. I said I regretted coming so early, before she was up, and I said that I regretted that it was likely to disturb her. She said, "Oh! you do not disturb me; no one has disturbed me since I have been here, for I have seen no one."—Q. Did she say she had seen no one, or that she had seen nobody she expected? A. Except through the window, she had seen no one, she had not been disturbed since she had been there.—Q. Therefore, she was not irritated or excited by your visit? A. Not at all; she seemed quite composed, and gave that answer in a cool, quiet manner.—Q. Did you enter into a conversation with her? A. Before entering into a conversation, she became suddenly very much excited.—Q. How long after you came into the room was that? A. Very soon after she made this remark, very soon.—Q. How did she show her state of excitement? A. There was a closing of the teeth, and subsequently a gnashing of her teeth; her teeth closed together, and there was an excitement, and a degree of irritation showing itself, and then she became incoherent.—Q. Now, will you be kind enough to explain what you mean by that? A. She rambled; she spoke in a rambling manner. If you will permit me to remark, she spoke so quickly and rapidly that it was impossible for me to retain all she did say, it was so remarkably quick; but I will tell you what I was able to remember.—Q. Could you at all, though she spoke in this rapid manner, collect the subject on which her mind was bent? A. Yes, I collected something. She commenced something about the railroad, that she had been dragged along the railroad, that she had never been on the railroad before. She then spoke of the asylum, the persons she had seen at the asylum. She then spoke with great bitterness of her daughters, and particularly of her daughter, Mrs. Ince, who had been drinking at the Horns Tavern; that she was very much disgusted with her; that she had brought her up differently. She spoke this in a most rapid manner, and I viewed it to be rambling and incoherent; and, in fact, it was quite so, for there were many things that I could not recollect; it was verily an incoherent mode of talking.—Q. I observe you mention that she stated first she had seen nobody at all, except through the window, while she was there, and then once said she spoke of the persons who had visited her? A. She spoke of the persons whom she had seen in the asylum.—Q. You say she spoke of her daughter, with bitterness, I think your expression was? A. Yes; but particularly of her daughter, Mrs. Ince.—Q. Will you be kind enough to tell me, when she spoke in this way of her daughter, whether you asked the cause of her feelings against her? A. Yes; she was calmer after a time, and I then pressed this point as to her having seen her daughter drinking at the bar of the Horns Tavern. I asked her if she was positive of it. She said she was quite positive of it; she had seen her herself; and this appeared to be the only cause, in fact, that she assigned to me for such a great dislike to Mrs. Ince; that was the only cause I could ascertain from her on this occasion.—Q. Did she give, on any occasion, any reason for her dislike of her other daughter, for you say she expressed bitterness against both her daughters? A. Generally speaking, when her daughters' names were mentioned, she spoke of them; but I do not recollect any particular expression as regarded Mrs. Hooper.—Q. As far as I can recollect, it was against Mrs. Ince.—Q. Did you press her upon the subject of her feeling against Mrs. Ince? A. I spoke then about it, and she said she had seen her, she was certain about it.—Q. And there was no other cause assigned? A. There was no other cause assigned. I asked her if

she had attempted to strangle her, or to poison her, but she made no reply. I think she said she would tell me elsewhere all—tell somebody elsewhere, in another place—but she gave no reply to my question I put as to her having been strangled or poisoned, or an attempt having been made.—Q. Did you put any question to her about her property? A. I asked her the amount of her property, and she would give me no reply. She said it was fast running away. She did not tell me the amount of her property. Q. Did you ask her anything about a will? A. I asked her if she had made a will, and she said she had not; subsequently, she said she had.—Q. In the same interview? A. In the same interview; and then I asked her to whom she had bequeathed her property, but she did not reply.—Q. When she told you she had made a will, did she say whether that had been made recently or at any distant period? A. She did not make any remark: a long time ago, I think she said. I think she had made a will a long time ago—if I recollect rightly—a long time ago: she did not mention the period.—Q. Did you inquire of her whether she had any friends who would protect her, and take care of her? A. I think she said she had no friends who would take care of her.—Q. I believe that she was comfortably circumstanced at Effra Hall, was she not? A. Quite so.—Q. It is a very nice place, quite like a country residence, is it not? A. Quite so; like a private gentleman's residence—no high walls; there is an open railing in the front of it. It had the appearance of a gentleman's house.—Q. Upon the first occasion you saw her, were you able to ascertain the state of her mind, and what was your opinion of her? A. It was my conviction that she was of unsound mind.—Q. Upon the second occasion, you saw her at Effra Hall? A. I saw her in the afternoon of the next day.—Q. Did you examine her, to see in what state she was as to her bodily health? A. I did; I examined her pulse and her tongue; her tongue was clean, her pulse was regular, and she seemed in a tolerably good state of health—tolerably good—but I took into consideration that she had had paralysis of the bladder.—Q. Did you converse with her on that occasion? A. I did; she was composed, in fact composed during the whole of that visit. She was sitting up then—it was the afternoon; she was sitting up by the fireside, but she still persisted in saying that not only Mrs. Ince had been drinking at the bar of the Horns tavern, but that Mrs. Hooper had been doing the same thing.—Q. Did she say anything about her daughters, as to any food, or anything of that sort? A. There was a small quantity of cold roast beef upon the table, and she pushed it towards me, and said, I can get nothing else for dinner but this bone in the asylum—in this place—and I then observed, that no doubt her daughters, if she required any delicacies, would send her some; and she said, Oh, I should be afraid to touch anything that came from them—afraid to touch it. She also said she would not condescend to touch it; she also said that.—Q. Did you make any inquiry of her, upon that occasion, as to her property? A. I asked her the amount of her property, and she could not tell me anything about it.—Q. What did she say? A. She did not seem to know anything about it at all, further than I think she did say, upon this occasion, that a Mr. Ebenezer Jones had made a sale of some property; that he had sold something, but that she would not have it done—as if it had been done, and was rescinded afterwards—as a matter of course, it was a kind of way of expressing herself, but I think that she made that remark.—Q. Did she say anything about Mr. Haynes upon that occasion? A. She said that she had been told that she had only one friend; she had been told that Mr. Haynes was her only friend.—Q. Did you ask her whether she had seen anybody; do you recollect? A. Oh yes, I do perfectly, because I was particularly anxious about it; to test her memory. I asked her if she had seen anybody, and she still persisted in saying that she had seen nobody since she had been at Effra Hall, although her medical attendant, Dr. Caldwell, had not long left.—Q. Now your third visit, I think, was to go to Gothic Villa? A. It was.—Q. When you went there, you found her in bed, I think? A. I did.

THE COMMISSIONER.—When was that? A. The 28th of November.

Sir F. THESIGER.—On going in, what did you observe? A. On going in, I was accompanied by Mr. Turner, and I found she had the curtains closed, excepting on one side; on approaching the side where the curtains were closed, on opening them to make an examination of her, she, on attempting to open them, exclaimed, very loudly, "Don't do that; I cannot bear it." Well, wishing to ascertain what this meant, I waited, for a single moment, and went to the other side of the bed, where the

curtains were open, and I immediately discovered that the right eye was very much injected, that there was great intolerance of light; it was very red, and she suffered from great pain I presume in the eye, for there was great intolerance of light; she could not bear the least light, and this was the cause of her exclamation; and I removed the cause as soon as possible, to occasion as little inconvenience as possible, and then asked her respecting the persons she had seen at Effra Hall; she said she had seen nobody excepting Mr. Haynes. I asked her where she resided in 1847 and 1848? she could not tell me. — Q. You say she could not tell you, or would not tell you? A. She could not; she did not seem to be able to understand it at all; she did not refuse to answer the question. — Q. But did not seem to be able to tell you? A. But did not seem to be able to tell me: when I then asked her about her property, she again said it was fast running away; and, on making that remark, Mrs. Moore interrupted her, and said, I think it will be better not to excite her. Though I thought Mrs. Cumming could bear a longer examination, I yielded to Mrs. Moore's request, and did not wish to be thought to excite her unnecessarily, and I discontinued my examination—my examination was a very short one, but I was merely testing her memory. — Q. Was any one there besides Mr. Turner? A. Mrs. Moore and Mr. Haynes. — Q. You did not mention Mr. Haynes? A. I did not. — Q. Did you find him there when you went in? A. We found him there when we went. — Q. In the room? A. Yes; and Mrs. Moore was there—he was there at the time I made the examination. — Q. Do you remember Mr. Turner and Mr. Haynes leaving the room, and Mrs. Cumming was going on talking? A. Yes; and I think I walked to the other end of the room, and looked out of window; and, not wishing to be thought to excite her; but, as soon as Mr. Haynes had left the room, Mrs. Cumming would not cease; she went on in a rambling manner, and the curtains were closed, and I could scarcely hear what she said; but she went on rambling, and Mrs. Moore kept on looking towards her, and doing so—"Sh" "sh." — Q. Did that appear to have any influence? A. No, she was talking and muttering to herself still. — Q. I believe you saw her once again, did you not? A. I saw her once again on the 5th of January, she then declined to answer any questions that I put to her. — Q. Who was present then? A. Mr. Turner and Mrs. Moore. — Q. But she declined to answer any questions? A. Yes, declined to answer any questions; I think she said she would answer in another place. — Q. In your opinion, was Mrs. Cumming of sound mind? A. In my opinion, she is of unsound mind. — Q. In your judgment, is she capable of managing her affairs and herself? A. In my judgment, she is not.

Cross examined by Mr. Serjeant WILKINS. — Q. Are you a physician? A. I am a physician. — Q. Do you practise otherwise than as a physician? A. No, I do not. — Q. Your main practice is, I believe, amongst sane people? A. Principally. — Q. Did you ever have anything to do with an asylum? A. No; I attended at Battersea. — Q. A patient of your own? A. No, merely to become acquainted with the disease as much as possible. I attended Sir Alexander's practice some little time, and also his lectures; and also in various lunatic asylums. I read as much as possible to make myself acquainted with the disease. — Q. Are you on intimate terms with Mr. Ince? A. I have now been off and on for about twenty years. I have been to his house, but not as a visitor. And his son has been at my house; and I met him twenty years ago in the board-room of St. George's Hospital. I know him to speak to him very well, but we have not visited. — Q. Now, when you went to this lady's room, at her residence, you say her right eye was much injected; by that you mean, I suppose, in plain English, very much "bloodshot." A. Very much bloodshot. — Q. And you found there was a good reason why the curtains should be drawn—because the light pained her. A. Quite so. — Q. Do you know the lady who is attending her is the widow of a physician, Mrs. Moore? A. I did not know it. — Q. Did she not tell you Mrs. Cumming had had so many medical men with her, and that she had had a troublesome night; she could not bear any excitement. A. She begged her not to excite herself. — Q. Did she not tell you she had had medical men with her that morning; and several days before that she had had a very uneasy night, and begged she might not be excited? A. I do not recollect those words. — Q. Or to that effect? A. I do not recollect anything about a medical man. I immediately gave over. — Q. When Mrs. Moore said "Sh! Sh!" did it not appear to you an ordinary precaution an ordinary nurse would use to a lady in a state of excitement? A. I do not know exactly in what

way to take it. — Q. What induced you to come to the conclusion she was of unsound mind? A. Incoherence at the first visit. — Q. Explain what you mean by incoherence? A. Rambling. — Q. Were not every one of those subjects of grievances of which she complained? Did she not begin by complaining of having been dragged on the railroad, never having been on one before in her life? A. Yes. — Q. Did she not complain that she could see no one, but through the window? A. Yes; she had seen no one. — Q. Did she not complain that she could see no one but through the window? A. No; she had not been disturbed; for she had not seen anybody, except through a window. — Q. Did you ask her if she had seen any of her friends? A. Yes. — Q. Friends? A. Yes. — Q. Did she not, in answer to that say, "why, how can I see any of my friends, when I can see no one except through the window?" A. Yes, she made a remark of that kind. — Q. And when at this cottage, she said, no one had called on her but Mr. Haynes; and was not that just after she told you she had no friends to take care of her; and did she not say Mr. Haynes was the only friend who had called upon her at the madhouse? A. Yes; she said she had seen nobody except Mr. Haynes. — Q. Did she not say he was the only friend who called upon her? A. No; I remember now; it was suggested to me by the matron, that perhaps she does not consider all the persons that visit her as friends; and I changed the word on several occasions, and put anybody, or any person. At Gothic Villa particularly, I tried her in different ways. I changed the word, I remember now. — Q. Were not those incoherences of which you speak, a rapid succession of complaints on her part; a different notion of the sufferings she had undergone, and was undergoing? A. To a great extent they were; but I could not connect the bar of the Horns Tavern with that incoherence. — Q. But that was an answer to a question? A. No; she rambled in that way. — Q. You said you asked why she had disliked the daughter; and she said the only reason was because she had seen her drinking at the Horns Tavern? A. No, that was not so. — Q. Did that form one of her complaints? A. Yes. — Q. Did it appear singular to you, that a person who had suffered a series of ills, should repeatedly repeat them, or recount them—or should be constantly dwelling upon them? A. No, it is not remarkable. — Q. Was there anything besides the incoherences, that led you to suppose her unsound? A. She had a dread of tasting anything that came from her daughter. — Q. That dread was expressed in those words; you said, the daughters, if she wished it, would send her some delicacies; and her answer was, "I should be afraid to eat after them; and would not condescend to receive anything at their hands?" — A. Yes; I should be afraid to touch anything that came from them, after what she said. — Q. And "I would not condescend to receive anything at their hands?" A. Yes. — Q. Is there anything else? A. No.

Sir FREDERICK THESIGER.—I understand that all the wine and other things that came to Effra Hall, came from her daughters?

Mr. Serjeant WILKINS.—She did not know it, I suppose. Do not for a moment suppose that I mean to insinuate that her daughters would do anything of the sort.

Sir FREDERICK THESIGER.—But any delicacies she had, such as wine, or other things, were all sent by the daughters.

Mr. Serjeant WILKINS.—You may take that for granted, Sir Frederick.

(This closed the case of the Petitioners.)

OPENING SPEECH OF MR. JAMES.

Mr. JAMES, Q.C., addressed the jury in a speech which lasted four hours in the delivery, on behalf of Mrs. Cumming, and with the view to show that that lady was in a sound state of mind, and quite capable of taking care of herself and of managing her pecuniary affairs. The learned counsel stated that the present proceedings had been instituted by the same parties—namely, the sons-in-law and the daughters of Mrs. Cumming—who issued the commission of lunacy against her in 1846, and who then withdrew that inquiry on an arrangement being made, by which they obtained a portion of the property of that unfortunate lady. The sole object of the whole proceedings was to get possession of her property, and not to give protection to her person. Her sons-in-law, Mr. Ince and Mr. Hooper, were the prime movers in the matter. They originated the inquiry of 1846. By the arrangement then made they consented to treat Mrs. Cumming as a person of sound mind. It was, however, subsequently found by the friends of Mrs. Cumming, that

an arrangement had been entered into in ignorance of the real nature of the interest she possessed in the property, it being at the time supposed that she only had a life estate, whereas it was discovered that she was possessed of the fee simple. Under the advice of counsel she repudiated the agreement, and her deeds and papers having at the time of the arrangement been given up to the other parties, she brought an action to regain possession of them, in which action she succeeded. In 1848 her son-in-law, Hooper, and his wife, filed a bill to compel her to elect how she would dispose of a certain portion of her property, the result of which was, that Hooper got 50*l.* a-year settled upon him. The jury would observe that in all these transactions Mrs. Cumming was treated as a sane person; and yet in 1851 the very same persons who had entered into these arrangements with her revived the inquiry as to her state of mind, and obtained the present commission, founding it almost entirely upon the same evidence which had failed them in 1846. The condition of this lady deserved the commiseration of the jury. She was carried off to a lunatic asylum in May, 1846, and there imprisoned till the August following; during her confinement her husband died, unseen and unvisited by her, while she herself was left unvisited by either of her daughters, even to inform her of her husband's and of their father's death. Was not this a sufficient ground of dislike to her children? When the inquiry of 1846 was instituted at the Horns Tavern, Mrs. Cumming was unaided by a single friend, and had not accident brought Mr. Haynes to her assistance, she might have been in a lunatic asylum to this hour. Mr. Haynes had occasion to call on Mr. Barlow, who was the commissioner inquiring into Mrs. Cumming's case; and, seeing that Mrs. Cumming was without any legal adviser, he suggested to the commissioner that the inquiry ought to be postponed. It was adjourned accordingly; and the result was, the arrangement which had been so often referred to. Mr. James then gave a history of Mrs. Cumming's movements from that time (1846) up to the present hour. The only portion of that period to which the case of the promoters of this inquiry referred was from October, 1850, to January, 1851, during which time Mrs. Cumming was under the control of Mary Rainey and Eleanor Hickey. The prominent ground on which the other side rested their case was the absence of all natural affection on the part of Mrs. Cumming towards her daughters. He admitted that in some cases that fact would be a proof of mental disease; but if there existed a cause for such aversion, the mere *quantum* of that cause was immaterial; however apparently inadequate it might be, it was no proof of insanity. What had been the conduct of her children towards her? She had never liked Mr. Ince, though she was on terms of affection with Mrs. Ince up to the marriage of her other daughter with Mr. Hooper, which had been promoted by Mrs. Ince. That marriage gave Mrs. Cumming the greatest possible offence, and from that time she took a dislike both to Mrs. Ince and Mrs. Hooper. The learned counsel next adverted to the fact of Mrs. Cumming having been apprehended for perjury, and briefly stated the circumstances connected with that part of the case. A Mr. Ebenezer Jones, living at Newport, having seen in the newspapers an account of the proceedings against Mrs. Cumming at the Horns Tavern, wrote an anonymous letter, stating that he had known Mrs. Cumming for many years, and could prove that she was a person of acute mind and of sound intellect, and he voluntarily made an affidavit to that effect. Having on some occasion received a portion of Mrs. Cumming's rents, he assumed the character of general agent to that lady, but on Mrs. Cumming making an affidavit in Chancery in some proceedings connected with the sale of a part of her property, it was necessary she should repudiate the agency of that person, and she did so. This was made a ground of charge against her, and she was arrested, at the instance of Ebenezer Jones, for perjury. It could be shown that Jones was in communication with Mr. Ince and Mr. Hooper, and that the whole affair was a conspiracy on their part, aided by Eleanor Hickey. The charge was heard before Mr. Gilbert A'Beckett, the magistrate, who immediately dismissed it. Mr. Ince made two affidavits, but in neither of which did he deny a participation in this affair. It was true Mr. Hooper did in his affidavit deny any participation in it, but he (Mr. James) should be able to show that that denial was false. These affidavits were filed on the present commission being moved for. This system of persecution would account for Mrs. Cumming assuming the name of Cleveland, and for her so frequently changing her place of residence. There was reason to believe that the object of arresting Mrs. Cumming on a charge of perjury was to put her on her

trial at Newport, in Wales, and then to get her acquitted upon the ground of insanity; the parties, not having succeeded in their former commission, thought they might probably, by such a manœuvre, get the whole of her property vested in them. The case, however, having been dismissed, what did Ebenezer Jones do? Urged on by Ince and Hooper, he preferred a bill of indictment for perjury at the Monmouth Assizes against her, but the bill was ignored. Would not these proceedings account for much of the conduct of Mrs. Cumming? This took place on the 27th of March, 1851. Having removed from Stamford-street to Worthing, she then went to Brighton, and there resumed her own name. She lived at Brighton in quietness and peace, hurting no one and interfering with no one. But she was not permitted to enjoy that state of repose long; for Mr. Turner then appeared upon the scene, and the jury had heard in what manner this poor lady was dragged from her house and taken to the Effra-hall Asylum, by the agency of that gentleman, instigated by her never-ceasing persecutors, Ince and Hooper. The learned counsel then took a review of the evidence which had been adduced in support of the commission, and, having commented upon it at considerable length, he proceeded to state the nature of the evidence which he intended to bring forward to rebut the charge of insanity against Mrs. Cumming. He proposed to show what had been the conduct of Captain Cumming towards his wife—that he was violent in temper, coarse in language, and cruel in behaviour towards her; and that if (as unfortunately he could not deny) she was occasionally betrayed into language and conduct unbecoming a lady, it was to be attributed to the contamination of his society. He squandered her fortune to pay the debts he had incurred. His moral deportment towards his female servants was of the basest character. He had more than one affiliation made upon him; it was therefore no delusion for this unhappy lady to say that her property was wasted to support his bastards. Indeed, the life which Mrs. Cumming led with him was one of unmitigated and uninterrupted misery. Having spent her fortune, and having abused her thus, were the jury to say that it was a proof of insanity that she should give way to violence of conduct and of language? Why, he would ask, was she taken to York-house Asylum? She had done no wrong to any human being; she had committed no act of violence; she had disposed of no property irrationally, or to the deterioration of her own rights; she was living harmlessly in her own dwelling, and at the very hour of her being violently taken away she was in the act of teaching a little girl her lesson. Upon the instigation of Mr. Ince, though nominally by her husband, who, before his death, regretted that he did not expire in the arms or the presence of his wife, this lady, so living and so conducting herself, was, on the certificate of a Mr. Willmot, consigned to a lunatic asylum. The commission having been withdrawn, she went to Mrs. Hutchinson's, a most respectable person, and, as Mrs. Cumming herself stated, her only friend. She had been a musical instructress, and her husband was an engineer. Her going to the Hutchinsons had been objected to; but where was the unhappy lady to seek refuge? Her husband was dead, her home was gone, and she was persecuted by her children; where then was she to go? She was without money; for notice had been given to Sir Charles Morgan not to complete a purchase of a portion of her property in Wales, which he had contracted to do, and her tenants had been warned not to pay her any rent. From first to last her property was kept from her. After following Mrs. Cumming to Wales and to other places, where her conduct was uniformly that of a sane person, Mr. James read a letter, dated September 5, 1851, addressed to Mr. Haynes by the secretary of the lunacy commissioners, in consequence of an application by Mr. Turner that they would examine Mrs. Cumming. The letter was to the effect, that after considering the evidence of Dr. Barnes and Dr. Caldwell, and the communication made to them by the relatives of Mrs. Cumming, the commissioners had no reason to believe that Mrs. Cumming was not a free agent, and therefore they did not think it was within their province to take any further proceedings in the case. The learned counsel next called the attention of the jury to the opinion of the medical witnesses. In consequence of the proceedings adopted by Mr. Ince and Mr. Hooper, it became necessary that Mrs. Cumming should take measures in her own defence; and accordingly Dr. Forbes Winslow was directed by the Lord Chancellor to examine that lady and make his report on her case. The report was made on the 8th of December, 1851. The learned gentleman here read the report, which will be found at the end of the trial. Without saying a word of adulation to Dr. Winslow, he

could not help remarking that his report was the most able and elaborate that had ever been filed in the Court of Chancery. The learned counsel then stated that he should call Dr. Caldwell, Mr. Hodding, Dr. Hale, Dr. Barnes, Dr. Conolly, and other medical gentlemen, as witnesses, who would all declare their opinion that Mrs. Cumming was perfectly of sound mind and capable of managing her own affairs. In reference to Mr. Haynes, the mention of whose name he considered to be a mere episode in the case, he should, he said, abstain from all remark. There might be a subsidiary inquiry hereafter, and no doubt that gentleman would be quite prepared to defend himself. He had, to the best of his ability, discharged his duty to Mrs. Cumming, and he knew she would have her case fairly and impartially considered. They had had the opportunity of examining that lady, and would form their own judgment upon what they had heard and observed. They would not suffer their minds to be influenced by mere eccentricity or a fondness for animals on the part of the lady in determining upon the soundness or unsoundness of her mind. It was easy to make the charge of madness against the wisest of men. "Festus said with a loud voice, 'Paul, thou art beside thyself, much learning hath made thee mad;' but he said, 'I am not mad, most noble Festus, but speak forth the words of truth and soberness.'" Socrates was charged as mad; Galileo was charged as mad, because he retired to his tower to watch the stars; and Mr. Pettigrew had told them that to believe in the ordeal of touch was madness. The charge was easily made against any person of eccentric habits; but he did implore them to look with caution at the facts that were to guide their judgment, to remember that this unfortunate lady had been literally hunted for mad, scourged for mad, whipped for mad, persecuted as mad. But he relied on them to declare by their verdict that she was not mad, though there were those who were anxious to make her so. It might be of little moment, during the few last days of her life, whether they pronounced her mad or not, for their verdict might be whispered into the ears of death, yet to the public at large the question would be of vast importance. He therefore called upon them to pause before any twelve of them pronounced this unhappy lady to be of unsound mind, as was prayed on behalf of the promoters of this commission.

GENERAL EVIDENCE ON BEHALF OF MRS. CUMMING.

Mr. Francis Farrar, examined.—Is at present the managing-clerk in the office of Messrs. Stokes and Hollingsworth. In May, 1835, was in practice as a solicitor: succeeded to Mr. Freame, who had been previously concerned for Mrs. Cumming. When witness first knew Mrs. Cumming, she was living in Ebury-street, Pimlico, in an apparently highly respectable manner. During 1835 and 1836 was in frequent communication with Mrs. Cumming. In 1836 I went to Newport to collect her rents. The property was settled upon Mrs. Cumming for her separate use. I observed nothing particular about the state of her mind. She gave me instructions quite as a woman of business. In 1838 I was at Newport with Mrs. Cumming. She examined the state of the property, conversed with the different tenants as to the repairs, and gave directions as to what she should allow in the shape of material, they providing the labour. At that time I remember Miss Thomasine Cumming—she had married Mr. Hooper. Mrs. Cumming had spoken to me about the marriage, and said that she considered Mr. and Mrs. Ince encouraged Mr. Hooper's attentions. She requested me to go and see Mr. and Mrs. Ince on the subject, and I did so; that was before the marriage. I reported Mrs. Cumming's great objection. Mrs. Ince stated that they had no power to dissuade Miss Cumming, if she chose to make the connexion: at any rate they would do their utmost, as it was a most objectionable match. In consequence of that, Miss Cumming, who had previously been at the Inces', returned home. Mrs. Cumming afterwards told me that after she had returned home Mrs. Ince had allowed her to be married from her house. Mrs. Cumming expressed her feeling that Mrs. Ince had acted most improperly and unkindly towards her sister. She was a person who sometimes expressed herself strongly. She was an irritable person. She expressed herself strongly on this occasion. My acquaintance as a professional man continued to the beginning of 1843; subsequently it was not so constant. I knew Captain Cumming also; he was a very irritable person also. I have heard him using very violent language to his wife, cursing and swearing. He took the benefit of the Act in 1839. I remember some of her furniture being seized for his debts.

She had moved part of it away for protection. Mrs. Cumming told me she had given Mr. Ince money to buy in a silver basket, sometime before Capt. Cumming took the benefit of the act. She stated, that although it was purchased she never could get the basket back—at least she did not get it back for a long while. She was very much annoyed indeed. She had asked for it repeatedly, both from Mr. and Mrs. Ince. She said they had stolen it; that they had kept the money and stolen the basket. She gave me the notion of being a person imperfectly educated. Besides the debts of her husband, and the furniture being seized, she complained of the irregularities of her husband in his amours. The first time was when he was confined in the Queen's Bench (1840?), when she stated to me that his servant had represented Mr. Cumming's conduct as very indecent to her. The servant subsequently repeated it to me herself.

SIR F. THESIGER.—Never mind what the servant said.—I repeated to Mrs. Cumming what the servant had said. The servant stated to me that Mr. Cumming had endeavoured to take improper liberties with her, and she knew that he had repeatedly improper women in his room with him. The Captain was in prison nearly two years. When he came out he went back to reside with Mrs. Cumming. In the year 1842, she told me that he was continuing similar conduct with the female servant, and that in consequence of her refusing to discharge this servant, he refused to eat or drink anything. She requested me to go up and talk to him. I reasoned with him upon the absurdity of his conduct. He admitted it, and subsequently had a tray up and ate some food. I never observed that she kept him short of provisions; on the contrary, when in the Bench I saw her take him various delicacies, give him money, and expressed to this very servant I have been speaking of, her great desire that every comfort and attention should be paid to him. I have dined with them. I remember her having some cats; three or four, certainly not more. I saw nothing extraordinary about her treatment of them. I have seen them in different parts of the house. I never saw one in her lap. Shortly before she was taken to York House in 1846, she called on me and stated that he (Captain Cumming) had been very violent, and had scratched her hands in endeavouring to remove her rings from her, and had taken her rings away. She showed me her hands. I saw there were scratches—trifling scratches. She told me that he had returned the rings. She told me that he had pawned her watch. I saw her not more than a fortnight before her removal to York House, on a matter of business relative to a notice from some Water Works Company that was about to take some property of hers at Newport. I was not concerned for her then. She showed me the notice which had been served upon her. She asked me what I thought she had better do about it. I do not remember who was acting for her at that time. I was at Messrs. Stokes and Hollingsworth's. I had some conversation with her about investing the money if she got it. She talked on that occasion coherently and rationally. I saw nothing about her manner leading me to believe her irrational or of unsound mind. I received a note from her requesting me to visit her in York House. I went and saw her. I was accompanied by a brother, a medical man, who is now abroad. She described the manner in which she had been removed: that upon some one knocking at the door, she desired the servant to look out of the window and see who it was. The servant told her there were two or three people desirous of seeing her; that she went down into the hall to speak to them through the door, for that she would not have it opened to them, but that the servant partially opened the door, and that they then pushed themselves in. After they had come in she spoke to them for some minutes in the hall herself; that then a female stated it was of no use what she said, she must go with them, and that if she did not do so quietly, she must put on her a strait waistcoat, taking one from under her shawl at the same time. I think she told me that it was put on; at any rate, that they forcibly removed her from the house, and she screaming murder at the time; that they put a shawl over her head to prevent her cries being heard, and pushed her into a carriage in waiting—not on the seat, but into the hollow part where the feet go, and then drove on; that she was without bonnet, and, in fact, without any proper clothing to go out of doors in.

(At this period Mr. JAMES intimated his wish that Mr. Ebenezer Jones should leave the room, saying that he had been communicating with all the witnesses. SIR F. THESIGER, addressing Mr. Jones, said he had been repeatedly told to leave the room.)

The witness continued:—She told me she had endeavoured to escape from the madhouse. She wished me to ascertain by whose means she was put there. She might then have been about a fortnight in the asylum. She told me she had requested a lady who went to church to post a letter to me. She wished me to adopt every means in my power to get her released. While I was present Sir Alexander Morison called and examined her. After that I saw Lord Ashley and several of the Commissioners. I went to see Mrs. Cumming a second time. I introduced to her my brother, who is a solicitor in Doctors' Commons. I asked the matron to let me see the certificate under which she was detained. She refused to show it to me. I could not get the certificate from the Commissioners. I went to Captain Cumming.

Sir F. THESSIGER here objected that what passed between the witness and Captain Cumming was not evidence. Mr. JAMES submitted that it was; it had been prominently brought forward as one of the reasons why Mrs. Cumming should not entertain an aversion to her children that the proceeding originated with Captain Cumming, and not with her daughters; he (Mr. James) was in the course of proving that it did not originate with Captain Cumming, and that it did originate with them. Of course he must abide by the judgment of the Commissioner, but if he rejected that evidence, he must ask him to take a note that it was offered. Sir F. THESSIGER said that would be futile, because there was no appeal; there could be nothing like an application for a new trial. Mr. JAMES submitted that if evidence were improperly received he should move the Lord Chancellor to quash the inquisition. The Commissioner considered his taking a note of the objection as mere "waste paper." Ultimately, Sir F. Thesiger having stated that Captain Cumming had signed the order, Mr. James contended that if what Cumming wrote was evidence, what he said was evidence; and the Commissioner being informed by the witness that he considered his brother, who accompanied him to Captain Cumming, as her solicitor, admitted the question.

Q. Now, then, in the course of the investigation as to the circumstances how she became confined there, and through whom, what did you say to Captain Cumming? I asked him if he knew where Mrs. Cumming, his wife, was? He said he did not. I asked him if he knew through whose authority she had been taken to York House. He was a very deaf man. I desired the nurse to repeat it. She did so audibly. He said he knew nothing at all about it. I went to Mr. Ince. He refused to see me. He referred me to Mr. Dangerfield, his solicitor, the same who has been examined here as a witness. I did not see Mr. Hooper. I went to Mr. Dangerfield. I asked him by whose authority Mrs. Cumming was placed at York House. He said, "You must put your application in writing, and you shall have an answer." My brother wrote. We got an answer refusing any information. I was opposed access to Mrs. Cumming again. I did not know anything at all about the inquiry (at the Horns Tavern) till the morning of the second day. Being refused admission to her at the asylum, I was quite unable to procure any defence for her. I saw her at the investigation, and conversed with her. — I believe I have stated it correctly, because I have stated it with the knowledge of the Commissioner, that she appeared there at that commission undefended altogether, — the whole of the first day. I believe she told me so herself. — And was I right in stating to the jury that Mr. Haynes was there accidentally, and she consulted him upon the subject? She did.

Cross-examined.—I have not my bill of costs; when I last saw it, it was in Mr. Dangerfield's possession. — Was not Mr. Ince desirous that Mrs. Cumming should interpose if she wished to prevent the match (Mrs. Hooper's)? I think it very likely he was; I have no doubt of it. I have not the least recollection whether I heard from Mrs. Cumming that Mr. Ince had taken various means to induce her to interfere. I do not know that Mr. Ince pointed out any specific mode in which she was to interfere. I have no doubt he wished her to interfere. Mrs. Cumming did interfere. I acted as Mrs. Cumming's solicitor for about seven or eight years. The rental at that time was nearly 600*l.* a year. When I went down to Newport the Red House was very much dilapidated. There was a lease upon it, upon the footing of its being repaired by the person who took the lease. It was worth a great deal more after the repairs were done. There was one property near the sea-wall, the house was in a very dilapidated state; with that exception, and the Red House, the rest was in tolerable repair. That was in 1836, and then in 1838. I think Captain Cumming was in prison in 1837, and dis-

charged in 1839.—Have you heard from Mrs. Cumming that the detaining creditor was the person who was the grantee of an annuity charged on the Red House? Yes.—Did you not hear from Mrs. Cumming that her husband was merely a security in respect of that annuity? No; I should have said quite the contrary, that she was the security.—Was it not by reason of the non-repair of the Red House that the annuity became so in arrear? I believe so.—And that compelled the creditors to sue Captain Cumming for arrears of this annuity, which led to this insolvency? I think he would have sued Captain Cumming long before if he had known where to find him. Mrs. Cumming had a great dread of letting this house, it would be the means of giving the party entitled to the annuity the address of herself and her husband. I think the annuity had not been paid for many years. With the exception of giving evidence I did not assist at all at the last commission. I have had conversations with Mr. Haynes upon the subject of the arrangement entered into. I have not assisted at all in procuring witnesses upon this occasion. It was in 1842 that the conversation took place upon the subject of Captain Cumming. He was then eighty years of age. He told me so himself. He was not in strong health. I saw no peculiar feebleness about him. He drank his wine very freely. It was accidentally that I observed the scenes of violence between Captain and Mrs. Cumming. It was as many as four times.

Re-examined.—These scenes occurred more than once when I have called on business.—About the detaining creditor. Do you know what the amount of Captain Cumming's debts were? She has told me he owed thousands of pounds. His address was never known. It was thought that she was merely tenant for life. I know that people who are tenants for life are not so particular as others. She must have been sixty odd at that time. The houses were all tenanted, except the Red House, and at pretty good rents. The Red House is the one that was afterwards taken for improvements.—Did Mrs. Cumming complain after the girl (Miss Cumming) returned home, and Mr. Ince had acceded to your remonstrance, that she was married from Mr. Ince's house? She complained of it.

By Sir FREDERICK THESIGER.—I did not know that I was a legatee in a will of Mrs. Cumming's, until I heard you read something of the kind the other day. Mr. Haynes had asked me, when the matter was before the Lords Justices, if I did not know that my name was in the paper. He did not tell me the amount.

Re-examined.—I had endeavoured to procure Mrs. Cumming's release from the asylum. I did not act as her attorney, or make any charge. She has expressed the most kindly feelings to me.

By the COMMISSIONER.—As to the house near the sea-wall, there was some notion of that coming down, and two farms being thrown into one. When I saw Mrs. Cumming in the asylum, she requested me to bring my brother to her.

By a JURYMEN.—I do not know that she kept any account or memorandum of the rents that she received.

By the COMMISSIONER.—I went down to collect the rents in 1836. She brought me the receipts written by herself. It was the only intimation I had of who the tenants were; she gave me a list of them.

Mr. Edward Henry Hawkins, examined.—Am assistant-clerk to a provision-merchant—formerly resided at Newport—received Mrs. Cumming's rents from 1839 to 1844. She herself attended to the general management of her property. She gave me the receipts for the rents, and corresponded with me upon business matters. I received the following letter from Mrs. Cumming, in her handwriting:—

“June 30th, 1843.

“DEAR SIR,—I should feel much obliged by your sending me a statement of the various remittances of the last August rents, stating by what bankers it was sent to London, and the amount of each remittance. You will, I doubt not, receive the rents as usual from the tenants, and also send me up the stamp receipts for the August rents for me to sign; and you will have the goodness to inform the tenants at the same time I shall expect my rents when due. Requesting an early answer, I remain,

Yours obediently,

“CATHERINE CUMMING.”

The witness produced other letters from Mrs. Cumming.

"London, 15th December, 1843.

"DEAR SIR,—Enclosed I send you four receipts out of the five, keeping back William Morgan's, as I shall take the rent. William Morgan, through having underlet the house, forfeited his lease. I shall take up the house. My eyes still continue so very bad, that it is very unpleasant for me to write, so must request you to inform me of anything that concerns my property, although I do not make the inquiries. I am very sorry we ever heard that Howard had the house. How is it this Mr. Priedhard pays the rent for him? Inform me in your next letter. I must confess I should not like to take less rent for it; certainly it is worth the rent I have for it. How do the new houses look? What sort of gardens have they? I shall feel obliged by your informing me that. My letter was opened, and revealed with yellow wax. I did it myself, having forgot to put all in my letter. I intended to keep a strict look out after that fellow William Morgan, and endeavour to learn if he keeps up the insurance on the house, as I wish particularly to know. Howard is liable to pay rent for the house, having taken it in May. Your immediate answer will much oblige,

Yours, in haste,

"CATHERINE CUMMING."

"Please direct, as the last letter, to Mrs. Hunt, General Post Office, London."

According to the correspondence I have had with her, she appeared to me to be of sound mind. I appeared as a witness on behalf of the petitioners the last time.

Cross-examined.—I did not on the last occasion express an opinion that I considered her of sound mind. My father was her agent before me. I was dismissed by Mrs. Cumming in March 1844. I received a letter from Mr. Dangerfield. I do not recollect hearing Mrs. Cumming say at the last commission that she dismissed me because I was soft. I went over the property in 1844 with Mr. Dangerfield's brother: a portion of it was almost in ruins.

Re-examined.—The following extract from a letter is taken from the letter received from Mr. Dangerfield referred to in cross-examination:—

"68, Chancery Lane, 14th March, 1844.

"I beg to acknowledge, &c. You are aware, perhaps, that Mrs. Cumming is on many, perhaps on most, occasions in the habit of acting upon her own views and judgment; and certainly as regards the continuance of yourself as her agent, she has not asked any advice from me, &c. &c.

J. DANGERFIELD."

Upon the last commission, I was not called upon to speak to Mrs. Cumming's state of mind at all. Some of the houses I have spoken of are very old. If I had only a life interest, I would not lay out any money upon such house property. I believe the Stow Hill house was uninhabited for some time, in consequence of a notice that the Water Works Company would have to take it.

By the COMMISSIONER.—The income would have been increased from 500*l.* to 550*l.*, if the property had been put in repair.

By a JURYMEN.—It would have required 1000*l.* to be laid out to produce the 50*l.*

A JURYMEN.—Then it was not worth her while.

Joseph Charles Evans, examined.—My wife was a servant to Mrs. Cumming, in 1844, for rather better than three months. I stayed at Mrs. Cumming's house at night. She always acted in a rational kind of manner. The house was in a perfectly cleanly state. I have heard Captain Cumming use bad language towards my wife. My wife left on account of the captain. I insisted on her leaving.

Cross-examined.—The witness was cross-examined about his occupation, and his opportunities of observing Mrs. Cumming. His statements were the same as in his examination in chief.

Anne Evans, called.—(It having appeared that this witness had been present in court during the delivery of a portion of Mr. James's speech—her evidence was objected to by Sir F. Theigier, and was excluded.)

John Thomas Stocken, examined.—A hairdresser: knew Captain and Mrs. Cumming, from the beginning of October to the end of December, 1845. I was in the habit of shaving Captain Cumming three or four times a week. There was every appearance of cleanliness in the house. There were two beds, two easy chairs, and three or four others. Mrs. Cumming's conduct was rational, for any-

thing that I saw. I have heard Captain Cumming swear. I saw him supplied with provisions and brandy and water.

Matilda Cramer, examined.—In 1845 and 1846, I was forewoman to Mr. Pearson, a confectioner. Captain and Mrs. Cumming was in the habit of coming to the shop. They came in their carriage. I served them with refreshment on many occasions. Captain Cumming was usually served with mock-turtle, gravy-soup, and jellies. Mock-turtle was sometimes sent home. The conduct of Mrs. Cumming towards the captain was nothing different from that of a lady towards her husband. She conversed rationally. I should not have taken her to be insane. Mrs. Cumming paid me the bills regularly. I saw her pay an account to Mr. Pearson about April 1846. I saw nothing different in her conduct. She called upon me after the last commission, to thank me for my attendance at the Horns tavern.

Elizabeth Buck, examined.—I am fourteen years of age. My father and mother are both dead. They lived in the service of Mrs. Cumming, in Belgrave Terrace. The captain was rather violent sometimes. He once got up a stick to strike my mother, and missed her and split the table. I remember the police being called, because he wanted to take the keys from Mrs. Cumming; he was very violent before the police came. Mrs. Cumming kept four cats: they were let out every day. Mrs. Cumming's room was cleaned thoroughly once a week, and swept every morning. I remember Mrs. Cumming being taken to the lunatic asylum: the day before the captain left the house, with the nurse in a cab. Mrs. Cumming was very much troubled about it. In the afternoon, a woman came to the door and rung the bell. She forced her way in, then another woman, and two policemen came: when Mrs. Cumming came, they put a strait waistcoat on her. She cried out "Murder:" they forced her into a carriage, and she was taken away. After she was gone, two policemen and Mr. Ince came: my mother refused to open the door: the policemen forced their way in at the parlour window, and let Mr. Ince in at the door. They went all over the house. At the time Mrs. Cumming was seized, she was teaching me to write in a copy-book. She was in the habit of teaching me: she always told me to be kind to my mother. When Mrs. Cumming came out of the asylum, my mother was again employed by her. Mrs. Cumming always behaved like a lady.

John Green, examined.—I was a policeman in 1846. I recollect being sent for to the station-house to go to Mrs. Cumming's about March or April. When I got there, Mrs. Cumming said Captain Cumming had turned her and the servant out of the parlour, and had secured the door. Mrs. Cumming was crying; she was in a very nervous state. I took my staff; she said, "For God's sake do not use that." I got in; the captain made an oath and said, if I came any farther he would strike me with a poker. He had a poker in his hand; it was hot. I should say I should have received a violent blow had I not defended myself with my staff. I got away, finding myself in danger. When I got into the room again he had a knife in his hand. He ran round the table after me, and struck me in the hand. I had a tussle with him, and took the knife from him. He was very strong then during the time the passion was on him.

Cross-examined.—The captain had piled the furniture up against the door. I do not know whether it was to prevent any one breaking in, but it was to keep Mrs. Cumming and the servant out; he had turned them both out. He had been using the poker about Mrs. Cumming, by all accounts. She said that he had. I found it was hot by his hitting me with it.

By the COMMISSIONER.—You had a knock on the head, and a cut on the hand; did you take any steps against him? No, the police authorities do not allow us to do that. I was on the sick-list for four days. He was considered as a madman. I believe the police had had interference since then and before.

Mrs. Cumming was very rational, for all I could see of her. She knew perfectly well what she was saying and what she was doing.

John James Martin, examined.—I was in Mrs. Cumming's employ about Christmas 1846. I was with her about ten months. She used to give me the orders for the various tradesmen who called. If I paid any bills I put it down in a memorandum, and gave it to Mrs. Cumming at the end of the week, and she looked it over, and if she found it right she would pay me; if she disputed anything she would inquire about it. I always found her behave as a rational person.

Her conduct was that of a lady. There were three cats. The house was not in an offensive state in consequence. The whole house was open to them.

Cross-examined.—Mrs. Cumming was visited in Camberwell-road by Miss Hunt, Mrs. Cook, Mrs. Hutchinson, and Mr. Haynes. While I have been waiting at dinner, she has talked to me about her daughters. She has told me that they wanted to take her away again; and, likewise, if I was to see them come I was not to let them in without her order; she was confident they wanted to poison her to get her property. When she was dining in the dining-room, she would have a cloth laid on the floor, and a plate for the cats, and a clean knife and fork to cut the meat up for their dinner.

Re-examined.—She said, if they came to the house I was not to let them in; that all they wanted was her property, and did not mind poisoning her to get it.

By the JURY.—Was there a knife and fork for each cat? No, only one to cut the meat.

When she talked about her daughters poisoning her, did she appear flighty? She appeared afraid that they were always coming to the house.—Did you think her manner was that of a mad-woman! No, I saw nothing of madness or wrong about her, in any one shape in the world. Her dinner was cooked in the kitchen.

John Green, examined.—I am a coachman, in the employ of Mr. Richards, of Camberwell; he is a job-master. I first knew Mrs. Cumming, I think, in August 1846. She was then staying with Mrs. Hutchinson, of Vauxhall. I used to drive her. I was in her employ a year and three months. She presented to me the appearance of a lady of perfectly rational mind. She was very particular about the carriage and horses. Her directions were those of a sensible lady-like person.

A conversation here ensued about the propriety of the jury again seeing Mrs. Cumming. Dr. Caldwell intimated that she was sitting up and expecting the jury. He hinted that the last interview with the jury was too long. The foreman said, the length of the interview, no doubt, was distressing. It was ultimately arranged not to visit her on this occasion.

Cross-examined.—I used to drive Mrs. Cumming to Mr. Haynes's, to Camberwell to Mrs. Cook's, to Mrs. Hutchinson's, and Miss Hunt's, and Mr. Farrer's. She was sometimes late out. She never talked to me about her daughters.

By the COMMISSIONER.—At the Queen's-road she always paid me weekly—every Saturday night, a guinea. I did not board in the house.

Mr. Joseph Haynes, examined.—I am a solicitor, in the firm of Carlon and Haynes, St. James's-street. I am the brother of Mr. Robert Haynes. I was first introduced to Mrs. Cumming in November 1846. She told me that she had been induced to make an arrangement on the execution of the Commission of Lunacy in September, three months before, which she had been advised she ought not to perform. She gave me instructions; I took proceedings in consequence of that interview. She said she had been advised by counsel. She said she had been induced to make that arrangement, believing that she had a lesser interest in the estate than it afterwards turned out she had. The deeds were in the possession of Mr. Hooper, of the firm of Saxon and Hooper, mentioned in the arrangement of 1846. She was emphatic upon the subject of not carrying out the arrangement. She gave me a written authority to resist all measures that might be taken to enforce it. She related to me certain facts as to the issuing of the Commission, as to her having been taken away, as to the house having been ransacked and the deeds taken away. I had an interview with Mr. Turnley, the solicitor of Mr. Ince and Mr. Hooper. He requested that I would use my influence with Mrs. Cumming, to induce her to carry out that arrangement, subject to any modification I might suggest. In reference to that suggestion for a compromise, I wrote to Mrs. Cumming. I saw Mrs. Cumming at my office on the 19th of January, 1847. She refused to have anything to do with the agreement. By an arrangement with Mr. Hooper (Saxon and Hooper), an action of *detenu* was brought for the deeds. By an interlocutory order the deeds were deposited with a Master of the Court, and Mr. and Mrs. Hooper were made defendants, and Mrs. Cumming the plaintiff, to try the right to the deeds. My partner and myself wished to see Mrs. Cumming's examination by the Commissioner, in order to make up our own minds. She promised to send it. She called on the 25th of January, and brought it with her. I made certain observations upon it, and she gave explana-

tions. We were satisfied, and went on with the business. On the 3rd of February, Mr. Turnley called at our office and made something like a specific proposal for a compromise. We communicated that to Mrs. Cumming. Mr. Ince and Mr. Hooper were to withdraw all opposition to her recovering the title deeds, &c., provided she would enter into a deed to give her grandchildren one-half of the property at her decease. She called upon us on the 5th; I could not induce her to enter into the proposal. She stated that her family had so behaved, that she would not be coerced into any arrangement.

(A discussion of a somewhat acrimonious character here arose between counsel, from Sir F. Thesiger's objecting to the witness's relating the history of the proceedings in which Mrs. Cumming had been engaged.)

A rule was obtained (on affidavits by the defendants) to stay proceedings in that action. This was communicated to Mrs. Cumming. She made an affidavit in consequence. Her description and her residence were given in that affidavit. The rule was dismissed with costs. Mrs. Cumming was ready in the neighbourhood of the court to be seen by the Judges, and by the Attorney-General, who was her counsel. She was not produced because Mr. Watson, who obtained the rule, gave it up—the affidavits were completely answered. The issue came on for trial in May, 1847. The result was a verdict for Mrs. Cumming. A motion was made for a new trial; a rule nisi obtained. That was discharged with costs. On the 4th Oct., 1847, we received a letter from Mr. Turnley, containing a proposal for a compromise. I sent a copy of that letter to Mrs. Cumming. On the 13th Oct., eight days after the letter was sent, I received an answer from Mrs. Cumming, the whole of which is in her handwriting:—"Gentlemen, Having received your letter enclosing one from Mr. Turnley, I beg again to state that I have long since resolved, in consequence of the wicked and cruel persecution I have suffered from my relations, to consent to no arrangement whatever." At that time the rule for a new trial was pending. We got possession of the deeds. In May, 1847, Mrs. Cumming was served with a subpoena in a chancery suit by Mr. Ince. No bill was filed. The subpoena ran out. On the 6th July, 1848, Mr. Hooper filed a bill. (The prayer of it was to call upon the defendant, Catherine Cumming, to elect under the terms of a settlement by her late father, either to confirm or to renounce the title to certain property). A negotiation was entered into with Mr. Turnley, the consequence of which was, that a decree was made by consent. We have prepared a draft will for Mrs. Cumming. During the proceedings (above referred to), Mrs. Cumming frequently mentioned to me the subject of her will. She stated to me the amount of certain legacies. I was determined not to prepare the will without receiving further instructions. On the 7th June, 1847, we received a letter signed by Mrs. Cumming, but in my brother's handwriting, containing directions. I sent that letter as instructions to counsel to prepare the draft. The draft was sent to Mrs. Cumming. The will was frequently the subject of conversation with Mrs. Cumming. She called at our office alone. I said the will had been prepared by counsel in accordance with instructions sent by her, but that I felt reluctant to prepare the will because my brother was a legatee, and that I should like her further to consider whether she would not make some alteration. I particularly recollect telling her that I thought her grandchildren ought to have something left to them. She said I will not leave the members of my family anything; they have not behaved as children to me, and I will not leave my property to them. I again told her that I thought she ought, notwithstanding what had taken place, to leave something to her grandchildren; when she said, "Mr. Haynes, you are my solicitor, but don't be my dictator." I told her I would obey her instructions, but determined at the moment that I would not. I said, when you are no longer here, a great deal will be said by your giving so much money to my brother; she said she owed my brother a deep debt of gratitude, for that if it had not been for him she would then, if she had been alive, have been in a lunatic asylum. On the 21st July, 1848, she sent for me. She gave me instructions to make certain alterations in the will. I returned the draft to her with the alterations she mentioned on the 4th August. Nothing further was ever done about that will. The red ink alterations in the draft now produced are not in my brother's handwriting, but by one of our articled clerks in our office. To my knowledge that will has never been executed.

The witness then proved the sale to Mrs. Cumming of the two houses in St.

John's Wood. The mortgage on them was 975*l.*, the ground-rent 10*l.* on each house, the purchase-money was 625*l.*, making 1600*l.* The witness prepared the conveyance from Mr. Robert Haynes to Mrs. Cumming on those terms in the ordinary form.

Cross-examined by Sir FREDERICK THESIGER.—The witness was questioned as to who was the counsel consulted respecting the validity of the arrangement of 1846, and as to whether he was not a personal friend of Mr. Robert Haynes. The witness replied that Mr. Southgate was consulted, but he was not aware that he was on visiting terms with Mr. Haynes. Mr. Southgate stated, that he had never been inside Mr. Haynes' house since he was born. Sir F. Theisger withdrew what he had stated; he had been wrongly instructed.

My brother assisted me in Mrs. Cumming's business after we became concerned for her. Three sales of portions of Mrs. Cumming's property were conducted by Carlon and Haynes—viz. the sale to the South Wales Railway Company (2000*l.*); to the Newport Water Works Company (750*l.*); and the sale to Mr. Gething, (850*l.*) (Of the 2000*l.* the proceed of the sale to the South Wales Railway Company, 560*l.* had been paid into court). We ceased to be her solicitors before that was payable. The 850*l.* from the sale to Mr. Gething was received by Mrs. Cumming herself in my office; she came in her carriage; no one was with her. Our bill of costs to Mrs. Cumming is 475*l.* There is a balance due to us of 67*l.*

The further cross-examination was upon the subject of the will, and the sale of the houses in Queen's-road. It simply elicited a repetition of what the witness stated in his examination-in-chief.

Re-examined.—The Attorney-General, the present Chief Justice of the Common Pleas, when attorney-general, and Mr. Lush, were consulted as to the validity of the compromise, and gave a very strong opinion. — Why had you made up your mind that you would not allow the will to be executed except in the presence of her medical adviser? Because she had been the subject of a former commission; it was not in consequence of any misgiving of my own.

Mr. John Carlon, examined.—Of the firm of Carlon and Haynes.—On every occasion upon which I saw Mrs. Cumming, she conducted herself as a sane person.

Francis Francis, examined.—Entered Mrs. Cumming's service as coachman in February, 1848; remained till the end of November. I drove her most days of that time. She was particular, like all other ladies and gentlemen, about the horses, and about the harness being kept clean. I never observed anything in her conduct to induce me to believe she was of unsound mind. I was frequently in the house; it was kept clean and respectable. There were four cats; they were allowed to run over the house and garden. I travelled with Mrs. Cumming to St. Leonard's. She went by the road in her own carriage. Miss Hutchinson, young Mr. Hutchinson, and a servant-maid went with her.

Cross-examined.—Mr. Haynes came to see her at St. Leonard's, and at Brighton.

Mr. Simeon Thorne, recalled.—Had known Sir Matthew Wyatt previously to the transaction in which he was concerned for Mrs. Cumming.

William Gaywood, examined.—Was a coachman in Mrs. Cumming's employ from October 1848 till May 1850. Mrs. Cumming engaged me herself. I drove her out about three or four days a week. I went into Wales with her in October, 1849. She went in her own carriage all the way. Mrs. Cumming paid all the expenses on the way. She was always very correct, indeed, upon the bills. She has complained at small houses, that they charged her more than at the large hotels. She stayed some time at Newport. Then she went to Bassaleg. She was in the habit of driving out and visiting in the neighbourhood. She was there about six months. She visited her estates. She walked about and saw the farm-buildings. She returned to London by the road, never by the railroad. I have heard her say she disliked the rail. While at Bassaleg I posted a letter from Mrs. Cumming to Mr. Haynes concerning some land the Rhymney Company had got possession of; Mr. Haynes came down. I never observed any indication of Mrs. Cumming's not being perfectly rational and sensible in every respect. I never saw the slightest symptom of insanity.

Cross-examined.—I have been out (driving her) as late as seven or eight o'clock. I am quite sure I have not been driving her about as late as ten or eleven, unless she has been dining out. I have heard her say her daughters behaved very bad to

her; and if they ever came there, I was to be sure not to let them in, for she would not see them. She had told me they had ill-used her, and put her into a mad-house, and she was afraid they might do it again. She never mentioned anything about poisoning to me. She has told me not to admit Ebenezer Jones.

Re-examined.—I had told Mrs. Cumming I had met Ebenezer Jones in Newport, and he wanted me to bring one of her daughters into the room with her. He told me if three, or four, or five, pound notes might be of any consequence, if I could be the means of introducing them into Mrs. Cumming's presence, I might have it.

Examined by the JURY.—There have been people call at the house who would not give their names, and said they wanted to see her, and she has told me not to admit them. She said they might be her daughters, and she would not see them unless they would send in their proper names.

Elizabeth Clarke, examined.—I went into Mrs. Cumming's service in February, 1849, and stayed till April, 1850. I went with her into Wales. I was present when her tenants came to her. Mrs. Cumming received her rents from them. She counted the moneys and gave the receipts. She visited various people she had known in her childhood. I was with Mrs. Cumming constantly during the whole time. I never discovered anything to lead me to suppose she was of unsound mind. She was particular in money matters. The house was clean. The cats were not at all confined to the room. She has talked to me of her daughters. She said she should have been a kind and dutiful mother to them, if they had been kind to her. She frequently spoke of their having shut her up in a madhouse. She has given me orders never to admit Mrs. Ince or Mrs. Hooper if they came. I recollect a lady calling one day; she asked to see Mrs. Cumming; she came in the name of May. I gave a description of her to Mrs. Cumming. She believed it to be Mrs. Ince. She said she did not know such a name, and not to admit her. I saw Mrs. Ince once. I believe it to be Mrs. Ince. In the beginning of February, 1851, I was sent for by Mr. Haynes to go and attend upon Mrs. Cumming. She said that she had been very ill, and that she had been very ill-treated by Mary Rainey. That Mary Rainey had tied her down with a shawl. When I went, the house was not so clean as usual; there was some cat's dirt about. Mrs. Cumming complained of it, and begged me to clean it. I remember Mr. Thorne calling. I told Mrs. Cumming. She told me to say she was very ill, and could not see Mr. Thorne. A few days after, she sent for Mrs. Hutchinson. She begged Mrs. Hutchinson to let her go to her house, for protection from her children. She expected they were going to take her again to a madhouse. Several persons called about this time; some would not leave their names. I remember while at Mr. Hutchinson's Mr. Ebenezer Jones coming with the police; it was after two o'clock. At that time Mrs. Cumming had been confined to her bed for five days. He came to the door of Mrs. Cumming's room. Upon my refusing to admit him he burst open the door; he gave her in charge of the police. A medical man represented to the police that it would be dangerous to remove Mrs. Cumming.

By a JURYMAN.—She said there were people slept in the house (Herbert Villa) which I heard myself on the Sunday night. I saw a bricklayer go out about six o'clock. I believe it was a man of the name of Hickey.

By the COMMISSIONER.—Her meat was all cooked in the kitchen. Witness believed that the man she saw go out of the house on the Monday morning was Hickey; and that it was the same man who called again in the evening for a hammer; witness's husband gave him the hammer.

George Clarke, examined, the husband of last witness.—Went into Mrs. Cumming's service about March, 1849, left in April, 1850. While Mrs. Cumming was absent in Wales I had charge of her house in the Queen's-road. While she was at home she gave the orders; she sometimes gave me money to lay out for her. She was particular in demanding an account. The cats were left behind when Mrs. Cumming went into Wales. I received orders not to admit Mrs. Ince and Mrs. Hooper, Mr. Hooper, and Mr. Ince, and Ebenezer Jones. She described Jones to me. I left of my own accord, as I was taking a greengrocer's shop. From May 1850 to May, 1851, my wife and I occasionally called upon Mrs. Cumming. I remember in February, 1851, being requested by Mrs. Cumming to stay at Herbert Villa. She gave as a reason that an Irishwoman (Rainey) tied her down in a chair. On the Sunday night I heard some men talking below. When I was

searching below, Rainey told me I had no business in the kitchen, concerning myself about her business. I told Mrs. Cumming there was some person in the house; she told me to look; I went down, but could find no one. The following day Mary Rainey came back again for her wages. Mrs. Cumming said she would pay her if she gave a receipt. Rainey said she could not write. Mrs. Cumming then said she was to go to Mr. Haynes, who would pay her. She came again the next day for her boxes and wages, and said she would go up stairs and be paid. Mrs. Cumming told me to go down and prevent her. (Witness repeated some foul language that Rainey used to him.) She said, "Last night I diddled you, for I had two policemen in, and another man, all the night." Shortly after that a man came and gave some name, and said he was the landlord of the house. I told Mrs. Cumming the name. She said that was not the name, for Sir Matthew Wyatt was the name. She said I was not to admit him. Then he said he would get over the wall. I said if he did I would knock him down. He joined another man who had on a hat like the one described (by Mrs. Cumming as worn by Ebenezer Jones). I have seen Jones up here. I cannot swear it was him. There were three cabs below. I saw them join some ladies; they got into those cabs, and went away together. On the following day I received some information from Mrs. Cumming's butcher. Mary Rainey had told him how her daughters were coming after her to take her to the madhouse. I told this to Mrs. Cumming. On the following day Mrs. Cumming went to Mrs. Hutchinson's. Mr. Hutchinson came on the following day and I helped to remove the furniture. During all the time that I was at Mrs. Cumming's I never saw anything to induce me to believe she was of unsound mind, quite the reverse.

Cross-examined.—(The witness was questioned as to his occupations since he left Mrs. Cumming's service; as to whether he had killed one of the cats, and as to the removal of the furniture.)

The *Rev. Hugh Williams*, examined; the Rector of Bassaleg, a magistrate of the county of Monmouth, and the Chancellor of the Diocese.—As Chancellor of the diocese I have to adjudicate upon testamentary causes; and I have been fortunate enough never to have my judgments reversed, and I have presided in Llandaff Court for thirty years. My duties involve the necessity of deciding on the mental capacities of testators. I have known Mrs. Cumming since September 1849, when I became acquainted with her personally. I have known her as my landlady, by correspondence with her agents, previous to that. She came to reside in my parish in September, 1849. She attended Divine service in my church on the 14th of October. Her demeanour and conduct while in church were perfectly proper; she sat nearly opposite to me, and I had every opportunity of observing. I had heard at that time that a Commission of Lunacy had sat to make inquiry with regard to her sanity; I was consequently prepared to watch anything that might occur indicating anything like aberration of mind. I invited her to stay at my house one evening; she spent the evening there on the 20th of September, 1849. She joined in the ordinary conversation; my wife and family were present. I saw her also on the 10th of September. I called upon her to know to whom I should pay my rent. Her answer was, through the servant, "To myself; I will call to-morrow at your house." On the morrow I met her in the village, in her carriage, coming towards my house; I went up to her; I paid her there. I occupied under her a small field. I had stated to her that I thought my rent was too high by a great deal; she very quickly found arguments against reducing the rent, and said, finally, that she would refer me to Mr. Haynes, her agent. Throughout my communications with Mrs. Cumming, I certainly did not observe the slightest symptom of insanity, and I watched her closely.

Examined by the JURY.—I got my rent reduced afterwards, but not by Mrs. Cumming; it was by Sir Charles Morgan; it is part of the property Sir Charles Morgan bought.

Lewis Edmonds, Esq., examined.—I am now upwards of 70 years of age. I have been twice mayor of Newport; I am still an alderman of the borough. I have known Mrs. Cumming for forty years; I remember her coming down to Newport in September, 1849. I remember calling on Mrs. Cumming, at Bassaleg, to ask her permission for my grandson to sport over her estates. I had a long conversation with her; I was aware at the time that a Commission of Lunacy had been issued against her. I discovered no symptom of unsoundness of mind; she

appeared to me a very shrewd woman indeed. I told her that a preacher from Newport would preach at Bassaleg on the following Sunday; she said, she would certainly go to the chapel. I noticed her demeanour at chapel; it was very correct and very attentive. She said it was a very good sermon, only that he spoke too loud, which I think myself he did. She requested me to look out for a furnished house for her; she should be very glad if she could get a house in Newport. I saw her, I should think, seven or eight times. On no occasion, whilst I saw her the last time did I discover anything irrational about her, or approaching to it. She said something to me about her intention to sell a portion of her property; she said, "Mr. Edmonds, I have some estates to sell, and you had better buy; I do it in consequence of my daughters treating me exceedingly ill." I have known her forty years. She was always rather of a violent temper.

Cross-examined.—I have not seen anything violent. I have seen her and the Captain cross with one another. She was considered a bad temper. When I first recollect her, she was living with her husband at the Red House. She was very handsome, fond of dress, of very lady-like manners. I saw her about fifteen years ago. I observed no difference in her at that time, only she was growing older. I never talked to her about her family.

Re-examined.—The last time I saw her, she was the same; neat and elegant in her dress, and with the manners of a lady. I saw not the least change in her mind.

(The jury expressed a desire to see Mrs. Cumming. Dr. Conolly intimated that she was very ill.)

Thomas Evans examined.—I reside at Bassaleg; I am a dissenting minister. I act as a house-agent; have done so for many years. I became acquainted with Mrs. Cumming on the 29th of September, 1849. I called upon her to collect some manorial rents; she asked me the amount, and paid it. I went with her to see one of her tenants. She asked for his rent; he brought the money out. She said, what is the income-tax, and took the pencil, and made it up, to deduct out of the rent; she gave him a receipt. George (the tenant) said his rent was too high; she asked about the produce, and the price of the cattle, and so on. She asked him if he had not had some repairs lately? he said, "Yes, Ma'am; but not enough." She went with me to look at the buildings. She then went to see my house (which she had proposed to hire of witness.) She went over every room; she took the house; she remained there five months. I showed her the tithe-commutation map. She pointed out to me her farms in each map. She then turned to the referring-book that was belonging to the map, and looked what was the tithe on every field, and then she added up what it was in the whole; and then she said: "Bother the Church, there is plenty of taxes on land, without paying tithes, and the Church ought to support itself." She told me her father was a Dissenter. She showed me some woodland on the map, and wanted me to try and offer it to some gentlemen in the neighbourhood, because they were felling timber there without her knowing it.

(The Commissioner, accompanied by the Jury, Mr. Petersdorff, Mr. James, and two short-hand writers, proceeded to visit Mrs. Cumming—the second examination.)

Thomas Evans' examination resumed.—Mrs. Cumming authorized me to sell some timber, and I was to deduct my rent out of it; my bill would state exactly what it was. I was with her going over the estate every other day since she was there, unless it was a very wet day; she did behave like a lady, and I never saw anything out of the way. I heard she was in the madhouse, and I was particular in taking notice whether I could find anything wrong in her mind or not. (Witness related a conversation with Mrs. Cumming, in which she related the circumstances attending her confinement in the asylum.) She told me, that although she could not prove it, she had reason to believe one of her daughters had tried to poison her. She told me, she took the milk and it was magnesia that was in it, and that she offered it to the cats, and the cats refused to take it; and that a chicken, in the kitchen drank it, and died. She went several times to my chapel and heard the children sing. She gave me five shillings to buy small books to reward them. I saw her write a letter to Mr. Robert Haynes on the 27th of November, asking him to come down about some property. One day, in my house she did ask me, (looking through the window, and seeing people working on the other side of the river) "cannot I see some people working there?" I said, "yes, Ma'am." "Is not that my land? What business have they got to do with that land?" I told

her, I thought that Ebenezer Jones sold an acre and four perches to Mr. Crawshaw Bailey, and she said that she had never authorized him to do such a thing. She said to me, "who is the agent of Mr. Bailey?" and I said, Mr. Brewer; and she told me, then will you go to Mr. Brewer, and ask him, who authorized him to touch my land? I went to Mr. Brewer, and told Mrs. Cumming what he said. Mr. Brewer told me he gave Ebenezer Jones 6*l*. to come up to London, to buy this property if he could; and that he sent three letters from London that all was ready; that Mrs. Cumming was willing to sell the land for 50*l*., and gave him 5*l*. for selling it, and for them to begin when they liked to cut the land. She denied this, and wrote to Mr. Haynes. (Mr. James read the letter:—

"Dear Sir,—I should thank you to be at Newport as soon as possible, as they are taking away the land on every side. Surely you can find an opportunity to come and see what is the state, &c. If you will inform me the time, or more properly the day, I will be there to meet you.")

She wrote the whole of the letter herself.

(The witness was then asked several questions by the Commissioner and the Jury concerning the value of the property.)

At the opening of the proceedings on this the 10th day, Sir F. THESIGER observed, that there was a subject to which he ought to call the attention of the Commissioner. It was agreed, he said, between my learned friends and myself, at a very early period of the inquiry, that no questions should be put to the medical gentlemen of this description—"Having heard the whole of the evidence, is it your opinion upon that evidence that — is or is not of unsound mind?" The consequence was this, that their daily attendance here becomes quite unnecessary, because all they would have to do would be to come and tell us what interviews they had with Mrs. Cumming, and what is their opinion as the result of those interviews. Now, we know that their time is extremely valuable, but we know, also, that the expense of their daily attendance must be very considerable.

Mr. Serjeant WILKINS.—Does my learned friend use it as a matter of legal objection that these gentlemen should not be here? If so, I am prepared to answer it. And when my learned friend talks about expense, he should remember I saw his medical men here day after day, and not a word about expense was urged. If they (the medical gentlemen) have been here, it has been from the uncertainty of the time at which they may be called. But I am sure there is no objection in their being here.

Sir F. THESIGER.—Of course, there can be no legal objection. Sir F. Thesiger then repeated that his objection rested on the score of expense.

A discussion also arose between the Commissioner, Jury, and Counsel, as to the mode and time of visiting Mrs. Cumming. A jurymen wanted to know whether they were not at liberty to go to Mrs. Cumming without counsel on either side. Mr. Serjeant Wilkins said, he entreated that counsel should not go. The Commissioner felt that they ought to go; that the lady's evidence was part of the case, both of the plaintiff and the defendant. Mr. Serjeant Wilkins suggested, in order to avoid the semblance of unfairness, that the jury should visit Mrs. Cumming without any notice. In reference to this subject, some observations were also made with respect to the conduct of the servant (Blake), whose appearance in the room (at the time the jury were with Mrs. Cumming) yesterday, the Commissioner said he was bound to take notice of.

Thomas Evans, examined.—At the time that Mrs. Cumming took my house, she asked me, "What will you charge for this place?" My answer was, "I do not know, ma'am; I will trust to your honour." Then she said she paid Mrs. Phillips, at Newport, 1*l*. 15*s*. a-week for two rooms. She said she could not prove from whence it (the poison) came; that she sent it to the chemist to see what it was; but that she did believe her own children were wicked enough to put it in. I made no inquiry as to how the children might have done it.

(It was here observed that Dr. Conolly was in the room. Sir F. Thesiger said, I would rather that Dr. Conolly should not be here, on account of the expense of it. It was intimated that Dr. Conolly had no idea of receiving a farthing. Sir F. Thesiger then said there could be no objection to Dr. Conolly's presence, but requested the Commissioner to take a note of it.)

I offered 300*l*. for one lot (of the ground sold afterwards to Sir C. Morgan).

The sale had been advertised in the Welsh papers. Forty or fifty people attended the sale. I wanted the piece for a coal-yard.

Thomas George, examined.—(This witness not speaking English, the Rev. Chancellor Williams was sworn as interpreter). Is 75 years of age. Lives at the Blackbird's-nest, a farm belonging to Mrs. Cumming. First saw Mrs. Cumming when she came to his farm in her carriage. (Witness related the details of the interview with Mrs. Cumming described by last witness). He paid Mrs. Cumming his rent. She reckoned the income-tax on the moneys, and said how much remained after she took off the income-tax. Witness paid her that, and got a receipt. (Mr. Evans and witness's wife, who spoke English, aided witness in his intercourse with Mrs. Cumming). She asked him if he could find hay and straw for her horses. He supplied her with provender for the horses. He saw her on other occasions. He could not perceive anything the matter with her; but he perceived that she was more quick and intelligent than himself.

Esther Blake, not sworn—examined by the COMMISSIONER.—(Esther Blake is the servant who entered the room when the jury were with Mrs. Cumming). The Commissioner asked her who sent her into the room? She explained that on the previous occasion of the jury's visit, Mrs. Cumming suffered inconvenience, and Mrs. Cumming wished her to come in to ask her to take a little refreshment. She did not come in to interrupt the jury; she should be sorry to treat them with disrespect. The Commissioner said that by so acting she was doing that which was injurious to Mrs. Cumming's case. Esther Blake repeated that she merely went in to ask her to take a little refreshment, thinking she required it.

Richard Mullock, examined.—An alderman of Newport; has been mayor. Knew Mrs. Cumming in 1809. She was then Miss Pritchard. Saw her after her marriage. Saw her frequently while she resided at Newport. I remember her at Newport with her daughters when quite young. I saw her again in 1849. She called several times at my house, occasionally on business. She made inquiries as to persons that were old inhabitants of Newport whom she had known. I asked her as to her daughters. She said she believed they were well, but things were not so pleasant between her and her daughters. I was not then aware that there had been any question about Mrs. Cumming's sanity. I observed nothing whatever to lead me to suppose she was of unsound mind. She appeared to possess a rather better recollection than I did of things that had occurred forty years ago.

Cross-examined.—I am a shopkeeper. I did not visit Mr. Pritchard, but went occasionally on business.

Re-examined.—On the last occasion I saw Mrs. Cumming at least half a dozen times. On each of these occasions she conducted herself as she had done on former occasions.

Miss Mary Hunt, examined.—Formerly a milliner; now retired from business. I have known Mrs. Cumming many years. I am a bad hand at dates. Cannot exactly say how long. I never knew much of Captain Cumming. I remember, when they were living in Ebury-street, her telling me her husband was in difficulties. She asked me to take in her letters, which I did for some years; they were addressed in my name; it was only the letters she received from Wales. She said Captain Cumming had some gambling friends, and she did not wish them to know their address. They knew his property was in Wales. When she was at Maida-vale she was not friendly with her daughters. I always considered her most lady-like. I never saw her intoxicated. I thought her most particular in her house. I was in the habit of seeing her up to the time of the last inquisition in 1846. Up to that time I had never seen anything to induce me to think her of unsound mind. She was always exact in her accounts. When the inquiry at the Horns Tavern was over, I accompanied her to Mrs. Hutchinson's. (Witness then referred to many other occasions of her seeing Mrs. Cumming since 1846.) Mr. Grove, of Bond-street, is my brother. I am living with him. I have seen Mrs. Cumming since this inquiry began. Mrs. Cumming sent her servant to say she wished to see me in Stamford-street; that was somewhere about February last. She said Ebenezer Jones had broken into her room, and had frightened her very much. I think she said he came to take her to prison for perjury; he took some policemen. She said it was through their (Mrs. Ince's) connexion. She said she did not intend staying there longer than she could get somewhere else to be secure. She thought Mr. Ince's people were watching her. On one occasion she told me

Mrs. Ince had been to see her while she was at Mrs. Oldfield's. She said she had received her quietly, because she (Mrs. Cumming) wished to deceive her. She did not wish Mrs. Ince to know she was in a passion with her, or anything of that sort. She asked me if I knew of any place in the country where she could go to get out of her way; she thought Mrs. Ince was plotting against her. She had an idea that this would occur which has happened. I have known Mrs. Cumming full 25 years. I did not hear that Mrs. Cumming had made a will in my favour till it was mentioned in court (Chancery) two months ago. Before that time I had not the slightest notion that Mrs. Cumming had left me a farthing. I gave my evidence at the last inquiry at the Horns Tavern (1846).

Cross-examined.—I am prepared positively to state that I did not, upon the last inquiry, say that I had not seen Mrs. Cumming for six or seven years. I have always found her exactly the same during the whole course of those years (25 or 28). I do not know anybody whose conduct throughout has changed so little. She was always neat in her person. Her house always clean. She was always fond of cats. When she was at Maida-vale she spoke of her daughter, Mrs. Hooper, who was always rather a favourite of mine, and I wished to make them friends; and Mrs. Hooper was confined, I think, with her second child; and I always said what I could to make them friendly. I thought they were a very united family till the marriage. She was very much annoyed about Mr. Hooper's marriage, and never liked Mr. Ince. She appeared very much to regret that differences had arisen between her and her daughters. I saw her several times in Belgrave-place. She was the same—lady-like, clean. I think I did not go into her bed-room (there). I went with Mrs. Hutchinson and Mrs. Cumming from the Horns after the Commission. I had not known Mrs. Hutchinson before.

By the COMMISSIONER.—When she got out of the carriage, and was in Mrs. Hutchinson's room (after coming from the Horns), she was vexed about having come to some arrangement, that she had agreed to the papers, or something doing away with the trial, because she thought she might not have been brought in insane. — Can you remember any other circumstances that you think might lead her to dislike her daughters? Mrs. Cumming has told me she has been vexed about one thing or another. Once she was very vexed about that plate and silver that Mrs. Ince was to have bought for her. I understood Mrs. Cumming she gave Mrs. Ince some money to buy, I think, some family plate for her, and she was vexed she did not get the things she expected to have. — I saw her about ten days ago. She remembered things a good deal better than I did. She was very much worse in health than when I saw her before. She complained. She said it was all Mrs. Ince and Mr. Jones's doing that she was dragged about so. When she was at the Horns Tavern she complained of Mr. and Mrs. Ince and Mr. Hooper, not of Mrs. Hooper. — Have you ever heard her speak of her grandchildren? No. I have tried to make her friends with them because of her grandchildren; and Mrs. Hooper's little girl is so like her grandmamma that I was in hopes they would have been friends. I think, if she had been left quite alone after she came from the Horns Tavern, in course of time she might have been brought round by friendship, and that.

A JURYMAN.—How do you mean, left alone? I mean if Mr. Ince's people had not annoyed her.

Eliza Rosina Cooke, examined.—The wife of Mr. Cooke, wine-merchant, of Cannon-street. I became acquainted with Mrs. Cumming in 1846 at Mrs. Hutchinson's, whom I had known for some years previous. I visited her on many occasions. She always behaved in a most ladylike, rational way. I have seen her preside in her own house. I have seen her make purchases. She made them as a shrewd, intelligent woman. Her house has always been in good order whenever I have visited her. I have allowed my daughter to stay there for ten days. I think she is perfectly rational and of sound mind.

Cross-examined.—She never spoke to me about a will. She never said anything to me about the poison.

By the COMMISSIONER.—She was always quite calm when she spoke about her daughters. I never saw her excited.

Leopold Fischel, examined: A commission agent, living in Fenchurch-street, the son-in-law of the last witness.—I became acquainted with Mrs. Cumming in January, 1848. I visited her several times. She presided at the head of the table as a lady generally does. She is as sane, I should think, as I am.

James Kell, examined : A fly-proprietor in St. John's Wood.—I was coachman to Mrs. Cumming from the 19th of April to the 12th October, 1850. There were four cats. I have seen them in every room in the house, and in the garden. I have had money from Mrs. Cumming to pay bills with. I gave the receipts to her. She was particular in seeing they were correct. I never saw her behave in any way irrational.

Esther Blake, examined : A nurse in the service of Mrs. Cumming since she came from Effra Hall.—I had been in her employ before, last April twelvemonths. Mrs. Cumming engaged me herself. I was with her three months. At times she could not be otherwise than dirty, her illness was so great. She was very sorry for it. Mrs. Cumming gave all the orders. She never paid any bills without having a receipt at the time. If there was a halfpenny or a penny not quite correct, she would point it out. The cats were not confined to her room. A charwoman came sometimes. The house was cleaned throughout. The carpets were beat. She particularly desired me to let no one into the house without taking their name up into the bed-room. There was a person came to the house. I think she told me her name was Ince. I judged her to be Mrs. Cumming's daughter, because she was rather like her. I described her to Mrs. Cumming. She said : "By no means let my daughters into my house—they will take me to the madhouse, as they did before." When Mrs. Cumming returned from Effra Hall she was very ill indeed. She complained of pain in her limbs, and the treatment she had received. She said she was dragged from her house like a felon. She has mended by degrees since her return, but for some time after she came from the asylum I was very doubtful whether she would ever recover again. She is rather of a bad temper. I could not mention any instance that I thought her in any way insane.

Cross-examined.—Mrs. Moore called almost every day. Mr. Haynes did not come without being sent for. I never heard her say anything about poison.

By Mr. Serjeant WILKINS.—During this last time a great many medical men have visited her. I should think ten or twelve. After their examinations she has appeared very much fatigued.

By the COMMISSIONER.—I gave her a little sherry and water or port wine warmed, sometimes every half hour. I do not think any medical man has stopped more than twenty minutes. I have always been in the room.

Charles Crane, examined.—Was coachman to Mrs. Cumming in December, 1850. I remember Mary Rainey. She was not of a mild disposition—very violent. I know that she was acquainted with John Hickey, an Irishman. Hickey's daughters came shortly after. Before this Mary Rainey came into the house, it was very quiet. As soon as she came, there was nothing else but disturbances. The night before removing to Howley Villa, I remember Mrs. Cumming ringing the bell. Me and Mary Rainey both went up. Rainey went up in her clogs. Mrs. Cumming said, she thought it was improper. I had not heard of any scream or cry from Mrs. Cumming before that. I consider Mary Rainey's conduct to Mrs. Cumming otherwise than respectful. I have heard Mrs. Cumming order Mary Rainey and likewise Mrs. Hickey's daughters to clean up the cats' dirt, and they told her they would not. Mary Rainey has offered me money twice to go to Mrs. Ince's. Before Mary Rainey came, the cats were allowed to go all over the house. I have seen her drive them up stairs again. I remember one Friday night, when the police came, I was sitting in the kitchen with Mary Rainey. Mrs. Cumming rang, and Rainey answered it. Shortly after, I heard a scream of murder. I ran up stairs. Mary Rainey was in Mrs. Cumming's room—the table was knocked over. Mary Rainey was in a great passion. Mrs. Cumming told me to request Mary Rainey to know what her wages were, and she gave me the money to pay her, and send her out of the house directly. She said that Mary Rainey had been ill-treating her. She refused to take her money. We came down stairs. Mrs. Cumming rang the bell a third time. She went up stairs. I heard Mrs. Cumming "cry out" again. I met Mary Rainey coming down stairs. I let the policemen in. They went up stairs. They knocked at the door, and Mrs. Cumming, I believe, refused to open. They asked her for what reason. She said, because she had been ill-treated by the female servant. The police got out on the leads, and got through the window. He stumbled into her room. Mary Rainey fetched a small tool to open the door. After the policeman left, Mrs. Cumming

requested me to stay in the room, because she was afraid to be left alone with Mary Rainey. During all the time I was with Mrs. Cumming I never saw anything to induce me to suppose she was insane.

Cross-examined.—I took a note from Mrs. Cumming to Mr. Thorne, and Mr. Thorne came. I recollect on Saturday evening being sent for to her bed-room while she wrote a note to Mr. Longman. She told me that that note was to tell Mr. Longman to take the carriage and horses and keep them until she paid him what she owed him. I took the carriage and horses to Mr. Longman's. — Do you mean to say she did not inquire afterwards what you had done with the carriage and horses? Not to me. Mary Rainey told her she had said so. I was not desired on the morning after the occurrence with the policemen to go to Mr. Thorne's. Mary Rainey did not tell me.

This witness underwent a very long cross-examination about his occupation, the wages he had from Mrs. Cumming, whether he had seen Mr. Haynes, &c.

Did you ever go to Mr. Ince and speak about Mrs. Cumming? I went there once. — Did you say upon that occasion that she was as mad as a March hare? I did not. (The witness's attention was then directed to the two policemen who had been called on the other side (Parsons and Richards.) — Did not you say to those policemen that she was as mad as a March hare? No, I did not. I should not like to swear I did not.

Re-examined.—I know those two policemen. I do not know that they are acquaintances of Mrs. Rainey. I will swear I did not say to them that Mrs. Cumming was as mad as a March hare. It was Mary Rainey who took me to Mr. Ince's; Mrs. Hickey went with us. I did not afterwards go to Mr. Jones's, a solicitor in Sloane-street; they wanted me to call, but I never went. (The witness's conversation with Mr. Ince was objected to by Sir F. Theisger.) I had never seen Mr. Haynes before I went to him, the night when Mrs. Cumming sent me, in consequence of Mary Rainey's violence.

By the COMMISSIONER.—Was in Mr. Lucas's employ before he went to Mrs. Cumming. Never told him he was driving a mad woman.

Mr. Stephen Hutchinson, examined: A civil engineer, and proprietor of the Bromley Gas Works.—I have known Mrs. Cumming for twenty years. I have visited her and her husband at their various residences. They have visited me. I remember a party at my house in 1844, at which Mrs. Ince attended. I remember the time Mrs. Cumming was taken to the asylum; a few evenings before that she had taken tea with my family. On that occasion she conducted herself as a rational being. Up to that time I had never discovered anything to induce me to suspect unsoundness of mind. A few evenings after this Mr. Driver, Mr. Ince's assistant, came to my place. I ascertained from him that Mrs. Cumming had been removed to a lunatic asylum. In the summer of 1846, I spent some time on the continent: on my return I was summoned to attend the inquisition. The matter was arranged before I was called upon to give evidence. I was named as one of the trustees under that arrangement, on behalf of Mrs. Cumming, and approved of by Mrs. Ince. I heard the commissioner, upon that occasion, tell Mrs. Cumming that she was a free agent. I took her home in my carriage to Vauxhall. She remained in my house several months. She was very ill at that time, and was constantly attended by one of my servants, by a medical man, and Mrs. Hutchinson. It was in the early part of 1847, I first heard that Mrs. Cumming had made a will. I was informed (by Mr. Haynes) that I was to be one of the trustees under that will. I said I would decline it, as I had more than I could attend to of my own business. In 1847, I had several conversations with Mrs. Cumming. I endeavoured to persuade her to carry out the agreement which had been made at the Horns Tavern. I was present upon an occasion when Mr. Petersdorff, Mr. Southgate, and Mr. Haynes were present with Mrs. Cumming. The parties then present did all they could to persuade Mrs. Cumming to carry out the arrangement. She said she was determined never to carry it out (that was the 2nd November, 1846.) I consider Mrs. Cumming self-willed. I saw Mrs. Cumming in 1847, 1848, 1849, 1850. She has been several times to my house at Bromley. In 1850, I saw her, by her desire, at St. John's Wood. She told me she considered Mr. Haynes was neglecting her business, and therefore she thought she would employ some other gentleman, and wished me to look into her affairs, as she was short of money. I have known Mr. Haynes since the commission in 1846; not before. I went to Mr. Haynes to see

what state her affairs were in. I got from him an advance of 100*l*. She came to my house in Stamford-street, in February (1851). She said she was in fear of being again taken to an asylum, and that was the reason she had left the Queen's-road. She said she considered there was a conspiracy going on with her servant, Rainey. She begged that none of her family might be admitted. I saw her next at Worthing, in September. Upon that occasion she had just received a report from the Lunatic Commissioners declining to interfere, having examined some of the medical gentlemen. She was very much pleased that she was free from her family. I did not see her again till I saw her at the London Bridge Railway terminus, in the custody of the keepers of Effra Hall. It appeared to me that more violence was used than was necessary. She screamed. During the twenty years of my acquaintance with Mrs. Cumming, I have never seen or heard anything to induce me to doubt the soundness of her mind.

Cross-examined.—(The witness was questioned as to the reason for his leaving the Vauxhall Gas Works.—Had there been no complaint about the accounts? The witness was engineer, and had no accounts or books to keep. Witness started the Gas Meter Company, which was now being wound up. He projected the Monetary Loan Company. He did not know where Mrs. Cumming's furniture was removed to from Herbert Villa. Mrs. Cumming took a house belonging to witness at Oxford-terrace, Old Kent-road. The furniture was eventually removed there. The rent was £38 a-year. She had it for half a-year. Witness was paid the rent in an account, including other items, by Mr. Haynes: did not know the amount.)

Re-examined.—Witness never received any pecuniary favours from Mrs. Cumming in his life.

(The account was produced. It amounted to 37*l*. 17*s*. It included 15*l*. for rent of house in Oxford-terrace; the remainder for various sums expended for Mrs. Cumming.)

Mrs. Sarah Hutchinson, examined: The wife of the last witness.—I have known Mrs. Cumming upwards of twenty years. (The evidence of this witness was the same as that of the last, down to the date of the commission, 1846.) I went to see Mrs. Cumming in the asylum at York House. I got in by mere accident. I had applied for an order; it was refused. I went to the asylum a second time, and was refused admittance. I was examined at the last commission. Mrs. Cumming accompanied me home, at her request. She made up her mind immediately not to carry out the arrangement. I tried to persuade her to enter into it. I saw Mrs. Cumming at the Queen's-road, when Mary Rainey was there. Mrs. Cumming complained that she did not do her bidding. I myself observed that her conduct was insolent. Mrs. Cumming expressed her suspicions that Mary Rainey was in connexion with her family. She came to my house again at her own request, about 5th February, 1851. She gave as a reason that she thought they would come and take her away to an asylum, as they had done before. A few days after that Ebenezer Jones came to my house with some policemen. Mrs. Cumming was very ill. It was made known to Mr. Jones that she was very ill. Notwithstanding that he burst open the door of the bed-room, and gave her into the custody of the police. Mrs. Hickey came with the police. A few days after Mrs. Ince came. Her name was sent up to Mrs. Cumming. She sent her servant to deny her. Mrs. Ince did not go away; she kept knocking at the door. Mrs. Cumming told me afterwards that the warrant before Mr. a'Beckett was dismissed. This proceeding of Mrs. Ince and Mr. Jones alarmed Mrs. Cumming very much; she wished to change her residence; she went to Mrs. Oldfield's. Mrs. Cumming herself gave the order to remove her furniture (from Herbert Villa.) It is the same furniture that is in her house now. I saw Mrs. Cumming at Mrs. Oldfield's; she stated to me that Mrs. Ince had followed the servant up, and rushed into the room. She ran to her, and put her arms round her neck. She was very much alarmed, and thought she would do her some bodily harm. (Witness conversed with Mrs. Cumming afterwards upon that interview.) She said that from her own observation, she saw Mrs. Ince take notes of everything about the room, which created great alarm in her mind. She did not think she intended to be so friendly as she pretended to be. The following day, or a day or two after, I was at Mrs. Cumming's, and during the time I was there, Mrs. Ince and Mrs. Hooper, and several others, came to the door; they were traversing the street opposite, and speaking to several persons. Mrs. Cumming pointed them out to me herself. They rang.

The message came up while I was there, and Mrs. Cumming desired me to write a note to say she would not. Among the persons I saw with Mrs. Hooper and Mrs. Ince, was a policeman. After this Mrs. Cumming again expressed a desire to get away. She requested me to get from Miss Hunt an address at Southall. She went there for a month. I next saw her at Worthing. She passed there under the name of Cleveland. She said that her daughters were pursuing her, and she wished to change her name on that account. I was present on one occasion, when Mrs. Cumming expressed her delight at being declared a free agent by the Commissioners. She accordingly went to Brighton and resumed her own name. I did not see her at Brighton until the 28th October, when she was again apprehended. When I arrived there I found several persons in the parlour—some police. Mrs. Cumming was in her bed-room: she was very much agitated. She said some gentlemen had been into the room, and had been asking her questions, and she hardly knew what she had said—that they had broken open her door. She was in continual alarm. She expected to be forced away every minute. On the following day (Wednesday) Dr. Hale saw her. On Thursday Dr. King called. He came to the door (of Mrs. Cumming's room) and demanded admittance. Mrs. Cumming told him she had seen her own medical man, and did not want any more advice. Dr. King said if she did not open the door he would bring the police. Immediately after that the door was forced open. Dr. King, the policeman, Mr. Chase, the superintendent, a female keeper, and several others came in. Dr. King ordered her immediately to get ready. He said he had the Lord Chancellor's power to take any body into custody who interfered. He was very rough. I saw Mr. Turner. Mrs. Cumming asked Dr. King where he was going to take her to. He said to an asylum, and she would know when she arrived. When I requested them to tell me, they gave me a wrong address. She said she had never been on the railway before, and was much alarmed. I saw her when they brought her on the platform (at the station.) They dragged her—she had not a foot on the ground; she appeared suffering much. During the whole time I offered no obstacle. I applied at Effra Hall next day to see Mrs. Cumming. I was refused. I saw her on the evening when she left the asylum. About a week before this inquiry, I again saw her by permission of the Lord Chancellor. It was during the time she was at my house, in May, 1847, I first heard about a will. She was very ill; she expected to die. She requested me to write to Mr. Haynes for his attendance. Mr. Haynes had an interview with her. After that interview he told me my husband was to be one of the executors. He did not tell me she had left me or my family anything. My husband refused to act. The first time I heard the contents of the will was not until the last twelve months; that was the time when Mrs. Cumming consulted Thorne.

Cross-examined.—She said she had employed Mr. Thorne because she thought Mr. Haynes was neglecting her business. About the latter end of the year she began to be suspicious about Mr. Thorne, because he would not return her papers. I remember Mr. Thorne coming to my house in January, 1851, while Mrs. Cumming was there. He told me he was her solicitor. I did not refuse him; Mrs. Cumming refused. I wrote a letter at Mrs. Cumming's request. Mr. Haynes had been with her; but many days before. I was a music-mistress for a short time. I taught the Misses Cumming. No will was ever executed in my parlour. Mrs. Cumming never told me about the execution of a will. She only told me my husband was executor.

By the COMMISSIONER.—I came in the same train, not in the same carriage, with Mrs. Cumming, from Brighton. The parties promised Watson, her servant, should go with her; but they would not let any one go. Mrs. Cumming is very much weaker in bodily health of late. — Q. You tell us you think this lady's memory is not so good as it was? A. Only since she has been at Effra Hall. Before that I had not observed any change in her.

Mr. Robert Crooke Romsey, examined.—A solicitor. I acted as the agent for Mr. Turnley, of Cornhill, in the conduct of the prosecution against Mrs. Cumming for perjury. On the 11th of February, 1851, I received a note from Ebenezer Jones, requesting me to attend at Mr. Turnley's office, to receive instructions. I went in with Ebenezer Jones, and there we met Mr. Ince and Mr. Turnley's clerk. We then discussed the mode of carrying on the prosecution against Mrs. Cumming. A written case was put into my hand. (Sir F. THESIGER here inter-

posed. He contended that what took place at the interview in Mr. Turnley's offices was irrelevant. A discussion ensued. Mr. Serjeant WILKINS urged that Sir F. THESIGER in opening his address to the jury, endeavoured to make it appear that Mrs. Cumming's conduct was so irrational in regard to her children as to amount to a delusion; and it had been represented throughout the whole case, that her children had behaved towards her with uniform kindness; he apprehended if he could show, which he could do, that her children took part in this transaction, it was important evidence. Sir F. THESIGER replied that it could only be evidence if proved to have been communicated to Mrs. Cumming. The Commissioner decided that the evidence must be confined to what took place in Mrs. Cumming's presence, or to what was communicated to her. The evidence of this witness was consequently excluded.)

James Oldfield, examined.—A clerk at the London Monetary Company. Lives at 6, Edgeware-road; has lived there all his life. Saw Mrs. Cumming in the beginning of 1851, at Upper Stamford-street. I went there to get bail for Mrs. Cumming on this charge of perjury. I found two policemen there, and Ebenezer Jones came in. I was there when the police forced open the door. I heard Mrs. Cumming scream.

(The Commissioner here addressed Dr. Hale upon the subject of a letter which he had received, signed by the medical witnesses, complaining of their exclusion from the court. The Commissioner stated that they were sent out of court by those who subpoenaed them. He was quite sure they meant no disrespect. He had no jurisdiction. He said it was the practice for all witnesses to be excluded, except by consent. He referred to the *Times* of Saturday, where there was a discussion upon this question. He did so because he was aware that medical gentlemen might feel their exclusion not quite courteous. Dr. HALE observed that several medical gentlemen were under that impression. Sir F. THESIGER disavowed any intention of offering any slight, and repeated his argument, which has been already stated. Dr. HALE stated that medical gentlemen in the habit of attending Commissions believed this was the first time such a thing had been insisted on. The Commissioner said he had himself given that excuse for what was stated.)

The witness's examination was resumed.—The police remained in the house some hours. The next day I attended to give bail at the police court. Mrs. Hickey was there, and Ebenezer Jones; they left the court together. A day or two after that I saw Mrs. Cumming with Mr. Haynes. She talked of changing her residence. She came to my house, and remained from March till June. I came home one day and found Mrs. Ince there. Mr. Haynes was there; he sent for me to witness what passed. I heard Mrs. Ince complaining of Mr. Haynes for keeping her away from her mother. Mr. Haynes said he was there by Mrs. Cumming's own desire. Mrs. Cumming said it was so. She complained of Mrs. Ince placing her in York House. Mrs. Ince was very much excited. She was in a passion. When Mrs. Cumming complained of her having put her in York House, Mrs. Ince said, "Mr. Haynes placed you there, mamma, and we got you out." Two or three days after that I remember Mrs. Ince calling again to see her mother. I was not present. The day after this, when I came home at half-past four, Mrs. Ince and Mrs. Hooper were at the door with a policeman, and two or three men. They said something to the policeman. They declined to interfere. They stayed after that some time at the door. During the time Mrs. Cumming was there she behaved like a sane person and a lady.

Cross-examined.—None of Mrs. Cumming's furniture was brought to the Monetary Loan Office. I never spoke to Mrs. Cumming about her daughters.

By the Commissioner.—When Mrs. Ince was in the room with Mrs. Cumming there were no meals going on.

Mr. Charles Ellis, examined.—Lives at 7, North-street, Brighton. Was introduced to Mr. Haynes by Messrs. Webb, the auctioneers, of Brighton, on the 28th October last. I was instructed to go to the residence of Mrs. Cumming, at Bloomsbury-place. I saw a man and woman there who, I was informed, were keepers of a lunatic asylum. I went up into the drawing-room. Dr. King came about twelve o'clock. I asked him what his business was. He said he came to see Mrs. Cumming. I told him she was dozing. He went to Mrs. Cumming's bed-room, and called to Mrs. Watson (Mrs. Cumming's servant) to let him in. He called out to Mrs. Cumming—"Mrs. Cumming, I want to see you. I must come in, I am Dr.

King. I want to prescribe for you." When I asked him not to disturb Mrs. Cumming, he said he was Mrs. Cumming's medical-attendant; he said, "I have as much right here, in this instance, as the Lord Chancellor himself." I said, "Perhaps you will have the kindness to produce your authority;" he said, he had left it at home. He knocked two or three times after that, and I stopped him. In the evening of the same day I remember Mr. Turner being there. Mrs. Cumming had instructed me to keep the door locked and admit no one. Mr. Turner said I had refused to admit Dr. King to see her. Mr. Turner said we should all of us get sent to gaol, or something of that sort. The following day I recollect Dr. King coming with Mr. Chase, and several other men. They went up stairs to Mrs. Cumming's bedroom. I asked them their pleasure. Dr. King said they were come to remove Mrs. Cumming. He produced a paper which he read hurriedly. He demanded admittance into Mrs. Cumming's room. I heard her say—"Don't let them in." I saw Mr. Chase, the police-officer, break open the door. Dr. King gave directions. Mrs. Cumming screamed out "Oh! oh!" several times. She was very much alarmed. She said it was a very treacherous scheme, and wanted to know where they were going to take her to. They said they were about taking her away by a railway train. She called out again after that. She spoke to Dr. King in consequence of his remaining in the room while they were finishing dressing her. Dr. King hurried the women very much. There was a fly at the door. Dr. King hurried the parties very much (in getting her into the fly); he said, "What are you about, we want you to make haste. Did you never get a woman into a fly?" and he put his arm on Mrs. Cumming, and she went in in some sort of style. She called out, "You have hurt me!" With the exception of the disturbance created by these parties in moving Mrs. Cumming, the house was peaceable and well conducted. I made no resistance.

Cross-examined.—I had verbal instructions from Mr. Webb. I did not see Mr. Haynes until after I left the house and came to London.

Albina Watson, examined.—I reside with Mrs. Cumming. I went as waiting-maid last year, in July; have been with her since. On the 27th October, I remember Sir A. Morison, Mrs. Turner, Mrs. Ince, and two policemen coming. The street door was opened to them by a girl named Sally Dunford. Mrs. Cumming had been in Brighton nearly a month. She used to drive out most days. She was a lady of cleanly habits. I never saw Mr. Haynes at Brighton till the day the house was entered. Mrs. Cumming told me she had invited him to dine there that day. When I saw them in the passage I ran up stairs and told Mrs. Cumming there were four gentlemen and a female, who, I thought, was her daughter. She desired me to lock the door. Mrs. Ince came to the door. She tried it. Mrs. Cumming said, "Who is there?" she said, "It is me, mamma." Mrs. Cumming said, "Catherine Ince, I wonder you dare to come to my house. You are no daughter of mine; I don't wish to see you." Mrs. Ince said to me, "Woman, I desire you to open the door." Mrs. Cumming said, "I desire her not; she is my servant, and I expect she will obey me." After Mr. Haynes came, some one asked to have the door opened, and told me if I did not have the door opened I should be liable to be sent to Newgate. Mr. Chase opened the door. Mr. Turner entered with Sir A. Morison. Mrs. Cumming asked for Mr. Haynes to be present, but Mr. Turner would not allow me to ask him. Sir A. Morison made inquiries as to the state of her health. He asked her whether she was unhappy or uncomfortable. She said she was not. He asked her if she had daughters; and why she would not see them. She said that she had no wish to see them; they had not treated her as daughters. Mr. Turner put several questions about her property. She objected to answer. During the whole time of the interview I can take upon myself to say that Mrs. Cumming did not say one word about her cats being her postillion and coachman. Mr. Turner took the most active part in examining Mrs. Cumming. He suggested a great many questions that were put by the physicians. He asked her a good many questions about Mr. Haynes. With the exception of my keeping the door shut at Mrs. Cumming's commands, I heard of no obstruction to the parties at all. I think Sir A. Morison's examination lasted an hour. At that time she was very unwell. Dr. King examined her, after Sir A. Morison was gone, for rather longer. Mr. Turner was present the whole time. [The witness then recounted Dr. King's call on the following day.] No attempt and no suggestion to remove Mrs. Cumming was made. She could not have been removed without great difficulty. The woman,

Ann Haines (keeper from the asylum), had not seen Mrs. Cumming until the day she was taken away. [The witness then related the circumstances of Mrs. Cumming's removal by Dr. King, Mr. Chase, &c., as given by last witness.] Mrs. Cumming's health had suffered since the first visit. While Dr. King was in her room, and she was dressing, she said to him, "For decency's sake, if you are a gentleman, leave the room." After that he came in again to hasten the persons who were dressing her. She screamed as she was forced into the fly. I requested permission to accompany her. Mrs. Cumming requested me to do so. Dr. King said I was not to go. She had given me her money before this, 40*l.*; she expected me to go with her. During all the time I have been with Mrs. Cumming she has behaved reasonably. She is of an irritable temper. Mrs. Cumming resumed her name when she got to Brighton.

Cross-examined.—I heard Sir A. Morison's examination. I did not hear her say Mrs. Ince had tried to strangle her at Howley Villa. She said that she came to see her, and put her arms about her, and she thought at the time it was an attempt to strangle her. She said, after the treatment she had received she did not think it was from a kind feeling. I will swear that she did not say to Sir A. Morison that they had tried to murder her. I will swear she did not say to Sir A. Morison that her daughters wished to poison her, and had put poison into her tea-cup. I did not hear her say to Dr. King she had a great hatred of her daughters because they had attempted to poison or strangle her.—Q. Did you hear her speak to Dr. King about her late husband? A. Those questions were put by Mr. Turner. She was asked if she thought it was her daughters who put poison in the milk. She said, no, she did not. It was Mr. Turner asked her that. She said she did not know who put it there.

Re-examined.—Mr. Turner asked her about her seeing her husband improperly acting with the servant. He asked her if she did not catch Captain Cumming with the servant. She did not answer him. She said he was dead and gone, and that his faults must rest with him; and she thought it mean and pitiful for anyone to revive those things.

Mrs. Mary Moore, examined.—Mr. Parkin, the former proprietor of York House Asylum, is an old friend. He introduced me to Mrs. Cumming when she was at the asylum in 1846. I dined then with Mr. Parkin and Miss Parkin. She called upon me after her liberation. I frequently saw her at Camberwell. In 1848, I went to reside at St. John's Wood. From that time I have been in the habit of seeing her. I have been with her shopping. She demeaned herself with shrewdness and propriety; always as a lady, and they have acted so to her. In the month of November last, I found I was appointed by the Court of Chancery to reside with Mrs. Cumming. Up to her late seizure, her state of mind and conduct were similar to what I had before observed. I should not have visited her if I had seen anything different. I found her a lady. Her memory weakens. I remember Dr. Aldis calling on Mrs. Cumming. It is quite false that I held up my finger to Mrs. Cumming, or made any signs to her. I made no effort to prevent her speaking. Mrs. Cumming never spoke. I never observed anything offensive from the cats; if I had, I should not have gone into Mrs. Cumming's house. Since her discharge from Effra Hall she has appeared to me to be greatly affected physically. She is much weaker than when I knew her before. She has been very much exhausted after seeing different medical men, and after being seen by the jury.

Cross-examined.—I did not make any signs when Dr. Davey visited Mrs. Cumming. I do not think Mrs. Cumming at all likely to be influenced by signs made by those she knows. She is quite capable of judging, and (has) a very keen judgment. I never asked her about her will or her affairs.

Re-examined.—My husband was a physician. I treated Mrs. Cumming as other ladies.

By the COMMISSIONER.—I think that since her visit to Effra Hall her memory is weaker than it was, but she has a perfectly sound understanding on all subjects. I do not know that she takes any particular quantity of wine—no spirits. I never had any conversation with her about her daughters. I am not in the least afraid of exciting her about them.

Mr. Jacob Hibbert, examined.—A builder in St. John's Wood. (This witness knows the houses bought by Mrs. Cumming in the Queen's-road, and says he would not build them for less than 1600*l.*)

Mr. Frederick Lomax.—Auctioneer and surveyor. Witness's valuation of the houses in 1847 was 1610*l.*, that would be 7*l.* per cent., deducting ground rent and insurance. On re-examination, witness said the property in that neighbourhood had improved since he had valued the houses.

Mr. William Wright Lucking, examined.—Auctioneer and surveyor. The houses would fetch 1650*l.* to-morrow.

Mr. George Chadwin.—Vestry clerk of Battersea. Produced the original order concerning the order of affiliation upon Captain Cumming, on the 21st September, 1822.

MEDICAL EVIDENCE FOR MRS. CUMMING.

Robert Barnes, M.D., examined by Mr. Serjeant WILKINS.—Q. I believe, sir, that you reside at No. 63, Gloucester Terrace, Hyde Park. A. I do.—Q. I think that for some years you have lectured on forensic medicine? A. Yes, I have.—Q. How long have you been in the profession? A. I have been studying it and in practise nearly twenty years—eight years in practice, and twelve in study.—Q. When did you first see Mrs. Cumming? A. At the time of the commission in 1846, at York House.—Q. I believe that at that time you visited her at the request of Mr. Haynes? A. I did.—Q. For what purpose did you visit her? A. I was requested by Mr. Haynes to visit Mrs. Cumming, I believe with this intention. He told me—

Sir FREDERICK THESIGER.—Never mind with what intention you visited her.

The Witness.—But I wish to explain the precise reason why I went.

Sir FREDERICK THESIGER.—I object to your stating the reason—it is quite immaterial what your reason was.

Mr. Serjeant WILKINS.—I submit that it was of the utmost materiality.

Sir FREDERICK THESIGER.—I must take my objection in form. His intention is a matter which must rest in his own mind. What passed with Mrs. Cumming is another thing.

The COMMISSIONER.—What his intention was it cannot be important to the jury to know.

Mr. Serjeant WILKINS.—I submit to you, sir, that it is most important.

The Witness.—I was requested—

Sir FREDERICK THESIGER.—You heard the commissioner decide that you were not to state with what intention you went.

Mr. Serjeant WILKINS.—I must not take anything *ex cathedra* that comes from my opponent. I submit to you, sir, in order to ascertain the accuracy and the amount of attention which this gentleman exhibited upon the occasion, it is of the greatest importance to know with what direct intention he went to that place.

The COMMISSIONER.—It is not necessary, at all events, in the present stage of his examination.

Mr. Serjeant WILKINS.—Very well, sir.—Q. At what time in the day did you visit her? A. I think on an afternoon. I can't be quite sure of the time of day.—Q. How long did the interview last? A. I first saw her for two hours.—Q. Can you remember the day, or not? A. I could, by referring to a note.—Q. How long did that interview last? A. Two hours; not less, I should think.—Q. First of all, let me ask this, what was the result of the opinion you formed after those two hours as to the state of her mind? A. The opinion I formed on my first interview was a cautious and guarded one. I did not wish to commit myself to a positive opinion.—Q. How many interviews had you with her? A. Three, certainly, before I became confident in my opinion.—Q. At the end of those three interviews, what opinion did you form as to the state of her mind? A. My decision was, that I could find no evidence of insanity; I was not prepared to say that she was not of unsound mind, but I could find no evidence to satisfy my mind that she was.—Q. Did you observe her deportment? A. I did, very attentively, and I could perceive no difference in her deportment from what I have ordinarily observed in other people in society.—Q. I do not know whether you were present at any time when the jury went to see her? A. I was present during the time of the commission.—Q. Were you present lately when any of the jury went to see her at all? A. No; I was not.—Q. Did you enter into any conversation with her? A. I did, at considerable length. I conversed with her on all occasions on the subject of the

alleged evidences of insanity which had been advanced, and as to her past history, and her health especially, in order to see if anything had occurred in her past health which could have left any disposition to insanity, and I could discover none. — Q. Did you think all these inquiries essential? A. Yes. — Q. Did she talk rationally? A. Perfectly so. — Q. And calmly? A. Calmly, and with remarkable coherence and command over the flow of her ideas. — Q. Did she complain of the place? A. She complained very much of the associates she was obliged to mix with in the asylum. — Q. Did she complain of its being dull and gloomy? A. Very much so; she felt very much her being secluded as she was. She was accustomed to society, and it seemed to prey a good deal upon her mind. — Q. Did she complain of her friends being denied access to her? A. She did. She particularly mentioned that. — Q. Did she say anything about her anxiety? A. Yes; she said it was such that she had hardly had any sleep, or tasted any food since the commission had been adjourned three or four days before, and she was in great anxiety as to the result at that time. — Q. Were you present at any time when Mr. Haynes had a conference with her with reference to her property? A. I was. — Q. Did he at that time consult her as to the measures necessary for her defence for her case? A. He did. During the time I watched her attentively, in order to see how she behaved herself, and to see whether she understood clearly the questions which he put to her, and her position generally. — Q. Were papers and documents read to her? A. Several documents were put before her. I stopped her, and asked if she understood their contents and their nature, and she read them over herself attentively, and understood them fully, and assented to their propriety. — Q. You have attended her, and been acquainted with her occasionally from that time down to the present? A. I have, with a break perhaps of more than a year before I saw her in August last. — Q. Had you interviews with her on the 3rd and 6th of September, 1846? A. I had on those occasions. — Q. Did you inquire of her whether insanity had made its appearance in any other part of her family? A. I did. I traced every member of her family, and could get no evidence of anything of the kind; nothing that she could inform me of. — Q. When you were making inquiries as to whether there had been any symptoms in her family before that, did she say anything about her daughters? A. She made a remark which struck me. After going through all the other members of her family, and when speaking of her daughters, she said they were not insane, but that "the imputation of insanity might be as well transferred to them as be imputed to her." — Q. After she came out of the asylum, did she give you any particulars of excursions that she had made? A. She did. She said that she had been out from the asylum for a drive on two or three occasions. She seemed to be annoyed at the precautions by which she was surrounded when she was out. She said that one person would go out of the door first and see that she did not escape, and she seemed to feel that sort of annoyance very much. — Q. Did she say anything about being deterred from going in the front garden? A. Yes; she said she had been forbidden to go into the front garden. — Q. From the interviews which you have had with her up to this time do you believe her to be of sound or unsound mind? A. I may speak with all the confidence which one person can have when speaking of another after an intimate acquaintance, and I can speak to her soundness of mind on the same principles that I would speak of the soundness of mind of any person I might meet in the ordinary intercourse of society, my acquaintance with her extending now over a period of five years. — Q. Did she say anything to you as to her house being ill furnished? A. In 1846 she did. That was one of the grounds alleged, and I questioned her about it. She said her furniture was not safe where her husband was, and that she did not feel disposed to lay out any money in cutting up carpets in a place she did not mean to stay in. — Q. I believe that another topic urged against her was her aversion to her family. Did you probe her afterwards upon that point? A. I did. She principally referred on that occasion to the marriage of Mrs. Hooper, which seemed to rankle most in her mind, and she expressed at the same time a personal dislike to Mr. Ince; but with regard to her two daughters especially, my opinion was, that she did not entertain any decided animosity against them as her daughters individually, but it was chiefly on account of the dislike which she had taken to their husbands. — Q. Whom did she describe as the principal instigator of the proceedings which had been taken against her? A. She always referred to Mr. Ince. — Q. Did you speak to her about her property—about any neglect of her property? A. I did.—

Q. What was it that you said to her? A. She said that at that time that she had never had the means of repairing her property; that she had always been kept so close by the necessary expenses attending her husband's debts; and that she had taken some steps to have the repairs made when she was seized and carried away. — Q. Did she say that she was short of money? A. Yes, that she was always kept short by difficulties of one kind and another. — Q. Did she complain of Mr. Dangerfield? A. She told me that Mr. Dangerfield had deceived her, I think. — Q. Did she say whether she could get any account from him or not? A. Yes, that she could not get an account from him, or else that she could not get a satisfactory one. — Q. Did she say an account, or a satisfactory account? A. I cannot say; it was some dissatisfaction of that kind. — Q. Did she say anything to you about her husband's gallantries? A. Yes; she said that about fifteen years before that time (that was in 1846) her husband had an illegitimate child, and I questioned her as to his more recent gallantries, and she said that she did not impute to him connexion with the nurses in the ordinary sense of the word, but there were certain indelicacies which he was addicted to with them which she did not like to specify. — Q. Did you say anything to her about violent language which had been attributed to her? A. Yes; she told me she had always been rather of a hasty temper, and that when she was angry, she generally made people aware of it: that is what I heard from her. — Q. Did you say anything to her about her alleged habits of intoxication? A. With regard to that, she denied the imputation of being addicted to intoxication, and said that if it were true that she were addicted to intoxication the effects would be seen in her countenance, and she said it was very likely she would not confess it to me if she were. — Q. Did she complain of any servants? A. She complained of her servants—of having had many bad servants. — Q. Did you find that, although she seemed to brood over her wrongs, she had not any difficulty at all in detaching herself from those topics? A. None at all. She would turn to any subject which I mentioned to her with perfect facility. There seemed to be no engrossing attachment to any one idea or series of ideas. — Q. Had you an opportunity, at the inquisition on the 7th, and 8th, and 9th of September, of watching her demeanour during the sittings of that commission? A. I had. — Q. Did you hear her questioned upon different topics connected with herself and her property? A. I did. I heard the Commissioner's examination. — Q. What do you say of the answers which she gave to those inquiries? A. I found that her answers almost invariably agreed closely with what she had previously told me, and that they evinced the powers of memory, perception and attention to what was going on. — Q. Did you take notes of the evidence as it proceeded? A. No, not of that particular examination, but generally I did. — Q. At the time you have seen Mrs. Cumming at your different interviews, was there anything to intimate to you that she was a lady of dirty habits? A. Certainly not; I always assumed the contrary as far as I had opportunity of observing. — Q. Do you remember an interview she had with you on the 15th of September at York House, with Mr. Haynes, in your presence? A. I cannot be quite sure of the date. — Q. Do you remember her complaining of her health? A. Yes, I do. — Q. To what did you attribute that? A. To her confinement. She was then evidently suffering at that time from confinement and anxiety. Her health was beginning to shake the last time I saw her there. — Q. From the time of Mrs. Cumming's release from York House did you attend her as her medical man? A. I attended her constantly for the remainder of the year 1846, and throughout 1847, and I think I attended her a few times in 1848. — Q. Did you attend her at Mrs. Hutchinson's? A. I did; also at Camberwell-road, and at her present residence, St. John's Wood. — Q. Have you visited her lately in the present year? A. I saw her on the 25th of August last, at Worthing, and I have seen her four or five times since November last, since these proceedings. — Q. Have you a memorandum of a conversation which took place between you and her on the 25th of January, 1847? A. I have considered its purport pretty well. I have it not by me, but a conversation which seemed to indicate the state of her mind, and I took a note of it at the time. — Q. Do you remember the effect of it? A. She was afraid then, I think, of some proceedings or other, and she thought she had seen Mr. Hooper, I think, the night before, but she expressly stated afterwards she was not sure she had seen Mr. Hooper. — Q. Was that in consequence of anything you had said to her about keeping her gate locked? A. That gave rise to it. I was some time in getting in, and I asked

her why the gate was locked, and why she was so careful, and she said she thought she had seen Mr. Hooper about there, but she was not sure of it. She said she was aware that her mind had become unusually suspicious in consequence of what had occurred to her, and she might fancy that she had seen what she was afraid of seeing. She seemed to me to have a watchful care over her mind, and a power of analysis which seemed to me to be a strong indication of a sane mind. — Q. Has Mrs. Cumming conversed with you on the subject of her property? A. Occasionally. — Q. Has she talked to you about her property in Wales, and as to the difficulty of getting her rents? A. She has mentioned it from time to time. — Q. Did she say anything to you about her children's claim to her affections? A. She seemed to think that they had forfeited all claim to her natural affection. — Q. Did she say anything to you about her grandchildren? A. I think that was the only occasion on which I suggested anything to her with regard to her property. I said that her grandchildren were innocent, that they, at all events, could not have given her any cause of offence, and I suggested, in as delicate a way as I could, that she need not extend her animosity to them, that she might make some provision for them. — Q. What did she say to that? A. Her answer was very short—that the grandchildren must take their lot with the children; that the object of her children would be partly accomplished if they could effect such a settlement upon the grandchildren, and that she would not be coerced into any proceeding of the kind.

The COMMISSIONER.—Do you say that their object would be answered, or partly answered? A. Answered, or partly answered.

Mr. Serjeant WILKINS.—Did she say anything about visiting the sins of the parents upon the children? A. Yes; she made use of an expression of that kind, that the sins of the fathers should be visited on the children.

A JURYMEN.—That they were? A. That they were, or should be; I will not pledge myself to the exact words. That was the expression used.

Mr. Serjeant WILKINS.—I believe that through the month of September, 1847, you were attending her for an attack of bronchitis? A. I was. — Q. Do you remember on the 5th of October, the following month, finding her in bed? A. I do. — Q. On that morning did she say anything to you about poisoning fowls? A. Either on that morning or on one or two mornings previously. I cannot remember the exact day on which the fowl was found dead. — Q. What did she say—did she say anything about the milk? A. On the 5th of October there was some milk in the room, which they had offered to the cats, but which they had refused to drink.

Sir F. THESIGER.—She said so? A. She told me this herself.

Mr. Serjeant WILKINS.—And she said that the cats had refused to drink it? A. Yes, that they had refused to drink it. That was after the fowl had been found dead. — Q. The fowl had been found dead a morning or two before? A. A morning or two before. — Q. By her instructions did the servant give you a packet of crystalline substance, which was said to have been found in the fowl house? A. She did; and I inferred that it was found there because it was stained with fowl's dung. — Q. The paper was? A. The paper was which contained it. — Q. Was some milk also shown to you, in a saucer? A. Yes, it was. — Q. Did you pour that in a clean bottle? A. I put it in a clean bottle, and took it home with me, at Mrs. Cumming's request. — Q. What did you find the crystalline substance to be which was given you in the paper? A. That was acetate of lead. — Q. And what was that which was found in the milk? A. It contained a considerable quantity of Epsom salts. — Q. What does acetate of lead look like in its crystalline form? A. There are three or four crystalline substances which are very much alike—it is like Epsom salts. — Q. Would the acetate of lead given to the fowls be in appearance like the salts found in the milk? A. In its natural state it would, and it would also be like oxalic acid—they have all a general appearance very similar. — Q. At that time, did Mrs. Cumming appear to you to be very much excited or not? A. She certainly was very much agitated, and very much annoyed at the occurrence. — Q. When did you tell her it was acetate of lead? A. A morning or two afterwards; when I had examined it. — Q. What did she say about it? A. She, at first, was inclined to think that her family had been the means of having it placed there to kill the fowls, for the purpose of annoying her. — Q. Did you afterwards ascertain how it was the Epsom salts came to be found in the milk? A. No, I did not; not

that I remember—I merely remember the fact of examining it. — Q. I believe that, from the beginning of 1848, Mrs. Cumming has been attended either by Dr. Hale or Dr. Caldwell? A. I believe so. — Q. Did you also visit her occasionally in your professional capacity down to the end of June in that year? A. Yes, in 1848, I did occasionally, but very seldom. — Q. Have you occasionally, during the years 1849 and 1850, visited her? A. I have when I have been in the neighbourhood, I have called upon her, and she has sometimes called upon me. — Q. Did you observe anything in her conduct and conversation different from that of a sane person? A. Not at all. — Q. Did you notice whether she maintained perfect control over her own household, and over her own affairs? A. I did; and I am perfectly satisfied that she did, from my observation. Everybody in the house was attentive to her orders, and solicitous about her. — Q. Did any one, as far as you could discover, treat her as a person incompetent to manage her own affairs? A. Not that I ever observed. — Q. Was she somewhat of an imperious disposition? A. She certainly was. — Q. Did she exact much attention from her servants? A. A very great deal; and I have no doubt it was often annoying to them. — Q. Did it appear to you that she was sometimes more authoritative than there was any occasion for? A. Yes, I certainly observed that. — Q. From the middle of 1850, to August 1851, you did not see Mrs. Cumming at all, I suppose? A. I think not; for more than a year I lost sight of her altogether. — Q. On the 25th of August you visited her at Worthing? A. Yes. — Q. Was that at her request? A. I understood it was at her request. — Q. When you got there, did she say anything about her family? A. She said she was at Worthing in order to escape from their pursuit—that she was then under the feigned name of Mrs. Cleveland, the better to avoid detection. — Q. Did you find Dr. Caldwell there? A. Dr. Caldwell was there when I arrived. — Q. I believe you waited until his interview was over? A. I did. — Q. Did you then go in her bed-room? A. I did. — Q. Was she dressed? A. She was dressed neatly, as usual. — Q. How was her health then? A. It was very good, comparatively speaking; I had seldom seen her better, in my judgment. — Q. Did you then enter into a conversation with her upon the proceedings that were taking place against her? A. I did; she referred to it herself. — Q. Did she talk clearly concerning them? A. Quite. — Q. Did she tell you of any measure she had taken to escape from her relations? A. She did; she told me that she was alarmed at some irruptions into her house. I cannot precisely fix what the irruptions were that she alluded to, and said she was very uneasy at staying in the house where she was, and that she had got up early one morning, I think at seven o'clock, and went to ask Mr. Haynes' assistance to get away from the place. — Q. Did she relate to you a visit from Mrs. Ince to her residence in the Edgware Road? A. She did; I can't say that it was in the Edgware Road, but she related an interview with Mrs. Ince. — Q. Would you have the goodness to describe it? A. She said that while some proceedings were being taken, Mrs. Ince rushed suddenly into her room, without any announcement or preparation; that she was alarmed at her entrance, and that Mrs. Ince threw her arms round her neck; that her first impulse was that Mrs. Ince intended to do her violence, she was so little prepared for any act of apparent affection; but she told me plainly that she afterwards dismissed that idea, and attributed it to the anxiety and alarm which she was under from the conduct of her children. — Q. That was at the same interview? A. At the same interview; she dismissed the idea, knowing her mind to be in such a state that she might be attributing motives which perhaps were not just. — Q. You say she got up one morning at seven o'clock to send for Mr. Haynes? A. To go to Mr. Haynes, if I understood her rightly. I am not sure how that was. — Q. Did she say why she had come to Worthing? A. To escape from her family. — Q. Did she say anything about the length of time she had been kept in a state of alarm? A. She seemed seldom to have been altogether free since the time of the first commission. — Q. Did she say whether she had requested any person to stay with her? A. Yes, she did. — Q. Who did she say she had requested to stay with her? A. Mr. Jones, who was going there by the name of James. — Q. Did she say why she wished him to stay with her? A. She said she felt desirous to have some one by her who would be watchful, and in a condition to protect her. — Q. Did you say anything to her about the protection of the law? A. I explained to her, generally, that the law would protect her, and that she would have nothing now to fear—that any steps that could be taken would be taken under legal authority. She said I

might have told her that five years before—at the time of the former commission. She said they had taken measures against her then, and would probably do it again. — Q. Did she say anything about her courage? A. When I took leave of her, I said she might have occasion for further courage to undergo any further trial. She said she “hoped she should be equal to it, but constant dropping would wear away a stone.” — Q. Did she say anything about her determination to resist? A. Yes, she said she would resist to the last. — Q. Some time after this, had you an interview with her in the presence of Mr. Hutchinson and Mr. Jones? A. Yes. — Q. On that occasion did she appear to you to be mistress? A. Perfectly. — Q. And to have control over all the persons in the house? A. Perfectly so. I had the fullest opportunity of seeing that, and was perfectly sure of it. — Q. On the 2nd of September, I believe you attended the Board of the Commissioners? A. I did. — Q. Where was that? A. At Spring-gardens. — Q. I believe you made a statement to them? A. I made a statement to them of the interview I have just mentioned at Worthing. — Q. On the 27th of November, did you visit Mrs. Cumming at the house at St. John's-wood, after her release from the Brixton asylum? A. Yes, I did. — Q. Was she sitting by the fire in the bed-room? A. She was on that occasion. — Q. You had seen her, you know, before she was taken? A. I had, on the 25th of August. — Q. And you saw her again on the 27th of November? A. Yes. — Q. Was she then altered or not? A. She was very much altered, indeed, for the worse; her health was shattered in a great degree; and not only her health but her mind was evidently also affected to a certain extent. — Q. Do you mean that her memory failed her? A. Her memory—that is what I chiefly observed; for a time she was a little confused, and also a little disturbed. — Q. Did she possess animation and readiness on that occasion in conversation? A. She was glad to see me; towards the end of the time she seemed to recover a little; as she regained confidence, and had got a little better, she conversed with much more fluency and accuracy than she did at the beginning of the interview, and I could see a difference even then. — Q. Did she recount to you all that had passed to her since you had seen her before? A. She recounted the fact of her having been taken to the asylum, and generally what had taken place. — Q. Although you discovered this alteration in her memory, did that impairment of memory amount to anything like insanity? A. Most decidedly not; I consider it, to a great extent, the result of her recent confinement, her severe illness, and the mental shock she must have undergone on that occasion. I considered I was fully borne out, in this conclusion, on seeing her subsequently, on the 30th of November, and once or twice in December, when I found her recovering still more, and when her memory, which had been impaired on the 27th, was coming round very much as her health improved. — Q. Did you see her on the 17th of December? A. Yes. — Q. Did you find an improvement then? A. Yes. — Q. Did you visit her on the 9th of December, 1851? A. Yes, I did. — Q. Did you still find a progressive improvement in her health? A. Yes; she was still improving. — Q. On the day that you called, did you ascertain that Dr. Diamond and Dr. Davey had seen her in the morning? A. She told me so. — Q. Although her memory is improving, still is it defective with regard to recent events? A. I should say it is. — Q. Do you think that at all material? A. It is what every one must anticipate—it is quite natural. — Q. In proportion as her health has improved, and personal comforts have increased around her, have her anxieties since that diminished? A. They have. — Q. And has her mental vigour returned? A. Certainly. — Q. Is it your opinion that, supposing her mind was released from the anxiety attendant on an inquiry like this, she would recover her usual equanimity and intellect? A. I think she would entirely, except so far as age may tell. — Q. We are told that your name is mentioned in her will—when did you first ascertain that? A. In August, 1851. — Q. Had you never heard it hinted at before then? A. Never; I was quite ignorant of any will that she had made, or the contents of it. — Q. I believe you declined being executor when you did hear of it? A. I did. — Q. Have you a list of the different times that you visited Mrs. Cumming? A. I have—producing a paper—(the witness recited the dates of his visits to Mrs. Cumming from September 1846 to June 1848, amounting, altogether, to about one hundred visits). — Q. Then you saw her at Worthing? A. August 25th, 1851; November 27th and 30th; December 17th and 29th.

Mr. Serjeant WILKINS.—When was the last time you visited Mrs. Cumming?

A. I saw her, for a few minutes, last night. — Q. Did you converse with her then?

A. Shortly. — Q. Is your opinion unchanged : are you still of opinion that she is of sound mind? A. Quite. I am quite of that opinion. — Q. On all occasions when you have visited Mrs. Cumming, whether she has been in her room, or in any room, have you found her neat, clean, and orderly in her person and in her house? A. Always.

Cross-examined by Sir F. THESSIGER.—When did you become a doctor of medicine? A. I became a doctor of medicine in 1848. I was a bachelor of medicine in 1843. — Q. Have you had much experience in cases of insanity, or has your practice been more general? A. I have had considerable opportunities of observing insane persons. — Q. From what time should you say? A. During three years that I was a pupil I was constantly in the habit of seeing a pauper asylum containing forty patients; and I was subsequently a student at the Salpêtrière, in Paris, for a whole year. — Q. And during your pupilage you had opportunities of seeing cases of this kind? A. Constantly. — Q. Since you have been in practice for yourself, have you had experience in cases of insanity? A. Not especially; it is since I have taken my diploma that I have had the opportunity which I have spoken of in Paris. — Q. But it is not your particular calling? A. It is not my particular calling. — Q. You probably will be able to give us your definition of a delusion; what do you consider a delusion? A. Persons are suffering under delusions when they believe in things that do not exist, and draw wrong inferences which are not justified by the premises. But insane delusion is also associated with a diseased mind, depending on a diseased state of the brain. — Q. That is the cause; I am asking you to give me a definition of a delusion; is the definition of a delusion believing that which is not true, and drawing wrong inferences from it? A. That would not constitute an insane delusion; certainly not. — Q. Is it not rather believing things which do not exist, and drawing right conclusions from them, that is, drawing conclusions from them as though they did exist? A. Not necessarily. I should not take that as an indication of insanity, not even the existence of a delusion absolutely. — Q. You do not consider a person labouring under a delusion is in an unsound state of mind? A. Not necessarily; there must be some evidence of a diseased judgment; there must be diseased operations of the mind as well. — Q. Do you mean, that when a person is labouring under a delusion, that is, under the belief of that which is not the fact, and which never existed, is not in a diseased state of mind? A. Not necessarily so. — Q. Is it your belief, that a person may labour under a delusion—under the most striking delusion imaginable—and yet may be all the while of a sound mind? A. I would instance the Mormons, or any other general delusion; we are all under some delusion or other. — Q. Then it is your opinion that there is not such a thing as a sound mind? A. No, I have said nothing of the kind. — Q. What is your particular delusion? A. I say, a delusion in itself is no test of insanity. — Q. As we are all under a delusion, may I ask what is your delusion? A. I do not feel called upon to expose my own infirmities. — Q. But you have delusions? A. No doubt; I do not pretend to be wiser than others. — Q. What did you receive for going to Worthing? A. I have not received any fee for that; of course, I expect my expenses; but there is nothing else due. I have no clear expectations at all. — Q. I merely want to know whether you have been paid your fee, or not—you are to be paid for going to Worthing? A. I have not been paid for going to Worthing. — Q. You will have what is right, no doubt; how much are you to have, how much do you expect? A. I do not know that I can be fairly called upon to state what fee is usual for a physician going to Worthing.

Mr. Serjeant WILKINS.—Pray, do not object to it.

WITNESS.—I have no objection to state it; but it appears to me to be a question not relevant to the point. I will state, that whatever I expect will be the usual fee, and no more. — Q. I understood you to say that you were attending Mrs. Cumming in the year 1847, and that there were various occasions on which you did attend her, and saw her, and had conversations with her at those times; is it so? A. Those are the dates of my professional attendances. — Q. When you paid your professional visits, did you talk on other subjects with her? A. Yes, I very often talked on other subjects, of course. — Q. Attending her in the years 1847 and 1848, am I to understand that Mrs. Cumming ever spoke to you at all about her will? A. Never, except perhaps the occasion I have referred to when I talked of her grandchildren; but she never consulted in any way on the subject. — Q. She never asked you to be trustee, did she? A. No, she never

asked me that.—Q. Or executor? A. No, she never asked me to be her executor.—Q. She never told you that you were a legatee under her will? A. Never.—Q. You say, that on the 5th of October, 1847, she told you about the milk; you say, you ascertained that that which was said to come out of the milk contained Epsom salts; and that in what was represented as having been found in the fowl-house there was acetate of lead? A. Yes.—Q. Who analyzed it with you? A. The acetate of lead being in a substance, the analysis is easy, requiring only about five minutes, and I did it myself. With reference to the milk, I was very much engaged at the time, and I thought the milk might change a little; I gave half of it to a Mr. Spencer, whom I had known at the College of Chemistry, where we had been students together, to analyze for me; and I analyzed the other half on another occasion.—Q. Did you tell Mrs. Cumming that the milk contained Epsom salts? A. I have very little doubt that I told her what I found.—Q. Did you tell her that the milk contained Epsom salts, and that the other matter found in the fowl-house contained acetate of lead? A. I have no doubt of it at all.—Q. Are you sure that it was on the 5th of October, 1847, that this happened? A. That is the date I have.—Q. You have made an affidavit upon this matter, and there is a copy of it (handing the same to the witness); look at it, and say whether you did not state that it was the 5th of October, 1846? A. If that is so, it must have been an error in copying, for in 1846 she was in Camberwell, and at Mr. Hutchinson's, and this was in the Queen's-road.—Q. You are sure it must have been in the Queen's-road? A. Yes.—Q. Did she refer to this circumstance about the milk afterwards? A. She did, once or twice afterwards.—Q. What did she say about the milk at that time? A. She said, that she thought it was done to annoy her, and to irritate her.—Q. Did she say, she thought it was done to poison her? A. No, she did not say that.—Q. Then she was quite satisfied at those subsequent times, at all events, that there was no poisonous substance in the milk? A. She might, and did, forget sometimes that the acetate of lead was a distinct substance, and that it was not that that was found in the milk.—Q. But at other times did she understand that there was no poisonous substance in the milk at all? A. I am not sure that she did understand thoroughly; it is some time ago, and I do not recollect the conversations accurately.—Q. Suppose she talked to you on the subject of the milk, and you found her under the impression that there had been poison in it, did you endeavour to remove the impression? A. I have no doubt I should have corrected the impression.—Q. I understand you to say, that in one of your interviews with Mrs. Cumming she spoke of her daughter rushing into the room in the Edgware-road, and embracing her; that she believed, at first, she meant to strangle her, but that her impression was removed when she came to consider, and that nothing of the kind could be intended? A. Yes.—Q. Her first impression was that there might have been such an intention? but you say that that impression was entirely removed from her mind? A. Yes; on subsequent consideration.—Q. Will you be good enough to tell me when it was she said so? A. That was on the 25th of August, 1851, when she was relating the whole circumstance to me—she related it in that way.—Q. Has she since that time ever spoken to you upon the subject of her daughter's visit to the Edgware-road? A. Yes, on a subsequent occasion she mentioned it again.—Q. What has she said to you upon the subject? A. She has given very much the same account—substantially the same account.—Q. Then she has never since that time stated to you that her daughter intended to strangle her? A. No; she never stated it to me in such a way as to lead me to suppose that she entertained that idea now.—Q. That is, then, she never stated to you anything to lead to the impression on your mind that she believed her daughter was going to strangle her? A. Not that she believed it at the present hour, or that she believed that, at the time I spoke to her.—Q. Do you believe that she ever entertained that impression? A. Only during the time of the occurrence.—Q. Then at that time when you saw her she entertained that notion? A. No.—Q. But she has invariably told you pretty much the same thing—that although she might at first have believed it, yet, on consideration, she thinks she must have been wrong—that it must have been her suspicious mind? A. That is the account she gave of it.—Q. Has that been invariably the tenor of her remarks? A. I do not remember any other account of it.—Q. Now, suppose she told you she was persuaded in her mind that her daughter had attempted to strangle her, and asserted

it over and over again, would you have considered that a delusion, or not? A. I do not know that I should, if she were prevailed on by reasoning a second time afterwards, to dismiss the idea. — Q. Your opinion is, that if she confidently asserted to others, over and over again, that her daughter did intend to strangle her, that is not a delusion, and indicates no unsoundness of mind? A. It might be a delusion. — Q. But not an unsoundness of mind? A. Not necessarily an insane mind. — Q. Does it indicate an unsoundness of mind? A. What I mean by an insane mind, is a mind under the influence of disease—a disease of the brain. — Q. A disease of the mind is a metaphorical expression; what do you mean by a disease of the mind? is a mind, which is not in a sound and healthy state, diseased or not, in your estimation? A. A mind that is not in a sound condition may be supposed to be diseased. — Q. Do you consider a mind, labouring under a delusion, to be in a sound condition, or not? A. Under the ordinary acceptance of the words, a person may be in a sound mind, not diseased, and yet under a delusion. — Q. Then do I understand you to say, that you consider that although a person is labouring under a delusion, he may still be of a sound mind? A. Taking the general phrase I would certainly say that; but not an insane delusion—I would make that distinction. — Q. What do you mean by an insane delusion? A. A delusion occurring in an insane mind. — Q. You will distinguish between a delusion and an insane delusion; will you tell to the jury what distinction you make between the two? A. It is difficult to do it. — Q. Explain, if you please, the difference between a delusion and an insane delusion? A. It is difficult to do it; but what I understand by an insane delusion is, one influenced by some striking lesion of the ordinary processes of thinking. — Q. But there again you get figurative; what do you mean by lesion of the ordinary processes of thought? A. When you observe that a person shows some breach of the ordinary connexion between cause and effect, which is different from what ordinary persons exhibit; it is not a purely metaphysical question, but what we observe in the daily occurrences of life. — Q. I want you to give us the distinction which you have given, because that is one which I do not understand, and which my learned friend, Mr. Serjeant Wilkins, does. A. I think those forms of delusions are very rare where the general faculties of the mind are not obviously impaired in other matters as well. — Q. You consider, then, an insane delusion is when there is a lesion of the mind; is that your distinction? A. A lesion in the reasoning process. — Q. A lesion in the reasoning process, which is a break, or rupture, if I may venture to call it so, in the reasoning process? A. I will not adopt your expressions. — Q. Is it a wound in the reasoning process?

A JURYMAN.—Will the Doctor inform us what he means by lesion?

WITNESS.—It is something very different from what we observe in the reasoning powers of ordinary individuals, from which we get our opinion, perhaps a very general one, of soundness of mind. — Q. Lesion is a word which has a meaning, has it not? A. Yes. — Q. Yes; and it has a meaning in your mind; will you give us the meaning of the word lesion, as you use it? A. A distortion, or disease; something strikingly different from what is observed in ordinary individuals. — Q. Is lesion a distortion or disease? A. It is the result of a disease; you may take the word you use—a hurt if you like. — Q. A break, or hurt, or a wound, is it not? I know that a definition is a perilous thing. A. I do not consider that in forming my opinion of the sanity of a person I am bound to enter into definitions; I formed my opinion of Mrs. Cumming's sanity upon the same grounds and principles as those which I should apply in any other case. — Q. You are not here to form an opinion as to the sanity of Mrs. Cumming, but to give your opinion to the jury, in order that they may form their judgment upon it. A. I have formed it from having observed the operations of her mind, and they are in no respect different from those which I observe in other persons every day. — Q. Then do you mean to say that because you have found Mrs. Cumming rational on many subjects, although she may be labouring under various delusions, if there is no lesion she is perfectly sane? A. I do not think I am bound to take your hypothesis, for I do not think she does labour under those delusions. — Q. But you must take my hypothesis, as the question I put to you is one of science; I ask you, supposing it should turn out that Mrs. Cumming was labouring under several delusions, although she might be perfectly rational upon many other subjects, and most other subjects, is it your opinion that, notwithstanding those delusions, she is a person of a sound mind?

A. I should like to be certified, before I gave an affirmative opinion on that point, as to the nature of the particular delusions, and I could not answer the question generally. — Q. I will take the idea that her daughters are going to murder her, and the idea repeated over and over again—I will take that? A. I am not sure that I can admit that, if I disassociate it from any other evidence of a diseased mind; I do not see how I can admit it. — Q. How do you mean disassociate it from any other idea of a diseased mind? A. I can find nothing in her mode of thought different from that of sane persons; and I cannot see, because a person fears that another is going to murder her, that in itself is a sign of her insanity. — Q. Do you think it is no ground for it? A. That I can say nothing about; what may appear grounds to one person may not appear grounds to another. — Q. Then you consider that if there is any, the slightest occasion, upon which any suspicion may arise in the mind of a person, that would justify a belief that the person against whom the suspicion is entertained is capable of any act however atrocious against her? A. Not necessarily; it might, or might not, according to the tone and disposition of the person in whom that cause might operate; some persons entertain the most violent and outrageous conceptions from a cause which would not strike another as deserving of attention. — Q. You consider that it is a mere difference of mind, that where a person entertains these extraordinary suspicions, without anything but the slightest foundation, that is merely the particular character of the mind? A. It is not necessarily a proof of insanity—certainly not. — Q. Then I understand you to say, that where delusions prevail on particular subjects, that is not necessarily a proof of insanity? A. Certainly, you may take that as my opinion. — Q. Suppose the delusion should be as utterly groundless as possible—suppose it has nothing whatever to rest upon, what would be your opinion then? A. It might show some impairment of mind. — Q. It might show some impairment of mind? A. It is impossible to state these things generally. — Q. You qualify so much? A. I must qualify to a certain extent. — Q. Would it show unsoundness of mind? A. Every impairment indicates unsoundness of mind, but there are degrees of that. — Q. Give me my own word which I put to you, which is, unsoundness of mind; why shift the term. Would it in your judgment be considered unsoundness of mind? A. It might with that qualification. — Q. With what qualification? A. A certain degree of unsoundness of mind might not indicate insanity, that is, not necessarily. — Q. A certain degree of unsoundness of mind, what do you mean by that? A. There are different degrees and different stages of insanity, and different varieties of insanity. — Q. Do you mean that a mind can be sound and unsound at the same time? — A. What I have stated does not involve that absurdity. — Q. Is it your judgment that a mind may be sound and unsound at the same time; I want to know that? A. I think there is in every mind soundness and unsoundness. — Q. Is it your opinion that a mind may be sound and unsound at the same time? A. If you will take my answer in the words I give you, I will adhere to that answer; there is some soundness and some unsoundness in every man, inasmuch as no mind can be perfect. — Q. No doubt some parts of the mind may be sounder than others, but I am speaking of a mind which is diseased, and I ask you, whether it is your opinion that a mind has been sound and unsound at the same time? A. If by an unsound mind you mean a diseased mind, you beg the question. — Q. I am obliged to beg the question, and beg very hard too? A. Then I must give it up to you in that sense. — Q. Is it your opinion, at all events, that a mind can be sound and unsound at the same time? A. Except with the qualification I have over and over again stated to you. — Q. Did you state to Dr. Winslow that there was acetate of lead in the milk? A. I did not state that to him. Dr. Winslow must have misunderstood me in conversation. When I saw Dr. Winslow's report, I made an affidavit afterwards to correct that.

Re-examined by Mr. Serjeant WILKINS. — Q. You said just now that there are delusions and insane delusions? A. I did. — Q. And I think you began by making a statement which might have rendered all this vehemence unnecessary. Did you not say something about the Mormonites? A. Yes. — Q. As far as your reasoning enables you to judge, can there be any doubt that the Mormonites labour under a delusion? A. That is certainly my belief. — Q. Would you, therefore, pronounce the Mormonites to be insane? A. No, that could not be done. — Q. There are some gentlemen who believe in clairvoyance, do you believe them to be insane?

A. No; although I believe them to be under a delusion. — Q. There are some people who believe that they have cured patients by means of mesmerism? A. That also is a delusion. — Q. Would you say that all those persons are insane? A. No. — Q. Some years ago there was a sect who made a great noise in this kingdom, who believed that Johanna Southcote was going to give us a Shiloh, do you believe that all the followers of Johanna Southcote were insane? A. No. — Q. Suppose a person to labour under a palpable delusion, and afterwards to reason herself into the belief that it is a delusion, does that show unsoundness of mind? A. That would not indicate unsoundness of mind. Q. Suppose Mrs. Cumming did at one time think that her daughter meant to strangle her, and afterwards stated she was convinced that that impression was erroneous, would that indicate anything like unsoundness of mind? A. On the contrary, I think it would show the integrity of the ordinary faculties of the mind.

Examined by the COMMISSIONER. — Q. You say you do not believe delusions to be insanity, but do you believe them to be tests of insanity? A. Not absolutely, certainly not. — Q. Not tests? A. No, there are many insane persons who have delusions, and others who have not. — Q. What do you consider a test of insanity? A. An obvious impairment of the reasoning faculties, and the other powers of the mind, generally evidenced by other tests. Q. Different circumstances might drive you to the conclusion? A. Yes. — Q. You do not think that the existence of delusions is a test which would drive your mind of necessity to that conclusion? A. Not necessarily, although undoubtedly in many cases they are the indication of insanity. I say there are insane persons who have no delusions, and sane persons who have delusions, therefore delusions cannot be absolutely considered as a test of insanity. Q. Would you draw a distinction between a diseased mind and an unsound mind? A. No, I do not draw that distinction myself, I use the terms synonymously. — Q. If a man's mind is diseased is it unsound? A. Yes.

Robert James Hale, Esq., M.D., sworn, examined by Mr. JAMES. — Q. I believe you are a doctor of medicine, and a licentiate of the College of Physicians? A. I am. — Q. Do you know this lady, who is the subject of inquiry here, Mrs. Cumming? A. I do. — Q. When did you first see her? A. In the latter part of 1847. — A JURYMAN. — What month? A. It was either November or December. — Q. Last year? A. 1847.

Mr. JAMES. — Q. Upon what occasion did you make your first visit to her? A. I was sent for in a hurry; she was in a fit. — Q. Where was she then residing? A. In the Queen's-road. — Q. Where she is now? A. Where she is now. — Q. When you went there, in what state did you find her; what was the fit? A. I found her on the ground; it was of an epileptic character; very slight. — Q. Did you attend her for some little time? A. I paid her one or two visits, and discontinued my attendance. — Q. Before you discontinued your visits she was perfectly restored to health? A. Yes. — Q. It was merely temporary? A. Yes.

Mr. JAMES. — Now, on this occasion, you say you had not much conversation with her, but was there anything at all about her conduct that struck you as strange or remarkable. A. Not at all. — Q. When did you next see her? A. January the 24th, 1848. — Q. Upon what occasion did you see her then? A. She was suffering then from an affection of the bladder. — Q. She has paralysis, has she not? A. Yes; slightly so. — Q. All that you attended her for was physical infirmities? A. Yes. — Q. How long did you see her then? A. I saw her to February the 23rd. — Q. Did you see her daily? A. Yes; or nearly so. — Q. Had you the opportunity of conversing with her then? A. Yes. — Q. Just state generally; perhaps you had heard at this time, which may have directed your attention to it — had you heard she had been the subject of a Commission in 1846? Did you know that fact at the time? A. Yes. — Q. Then you knew you were attending a lady who had been the subject of inquiry in 1846? A. Yes. — Q. And were you aware of the fact of the Commission having been withdrawn? A. Yes; I was not aware of so much as I am now. — Q. Did that attract your attention more than if you had been called to an ordinary person? A. Yes. — Q. During the whole of that time, from January to February, did you converse with her? A. Yes, I did; in fact, she is a very conversant old lady. — Q. Did you see anything about her at that time to indicate that she was of unsound mind? A. Not at all. — Q. Did she ever at that time talk about her children? A. Oh, yes. — Q. In what way did she

speak of her children in 1848? A. I do not know that I can relate any conversations, but she spoke a great deal about her children, the way in which they had acted towards her, and stated that although nominally she had been put into a lunatic asylum by her husband, he was a very old man, and could not be the mover in anything of the kind, and she had to thank her daughters for it. She was always very violent in her expressions against her daughters in consequence. I am not recollecting exactly the words, but the substance of what she said. — Q. Is she an irritable person? A. Very. — Q. Would her diseases physically render the mind more irritable? A. To a certain extent they would; I should say she was naturally so. — Q. And is she a woman who would express herself strongly on any subject. A. Yes; always something superlative. — Q. She spoke of her children in the way in which you have told us, and spoke of their treatment of her? A. Yes. — Q. Upon any other subject was there anything that struck you? A. She spoke of that matter about the milk. — Q. What did she tell you about that? A. She told me at that time that the poison was in the milk, and that she had given it to her cats to drink, and that the cats would not take it, and that roused her suspicions; and the same day, or day after, I forget which, she said a fowl was brought up to her dead; and that Dr. Barnes had analysed and found poison in the milk. That was her statement then; it is somewhat modified now. — Q. Should you call that an insane delusion if there were any foundation for the fact? A. Not if there was foundation for the fact. — Q. Have you heard Dr. Barnes's statement about the analysis he made? A. I have spoken to Dr. Barnes several times concerning it. — Q. Before you arrived at an opinion that that was an insane delusion, should you not institute an inquiry as to whether there was any foundation, or existence, or supposed existence for the fact? A. Of course; because it would depend upon that whether the delusion was a mere delusion or an insane delusion. — Q. All, or many individuals reason differently from certain premises? A. Certainly. — Q. Some arrive at right and some at wrong conclusions? A. Certainly; the mind is not constituted alike. — Q. Do you, having ascertained the fact, and conversed with Dr. Barnes, consider that to be an insane delusion? A. Certainly not. — Q. Have you given us, as nearly as you can, the general outline of her conversations with you up to that time. A. She used to talk to me sometimes an hour at a time; I had a great many conversations with her. — Q. Loquacity on the part of a lady is not insanity? A. Certainly not; if so, I have a great many insane patients. — Q. Now, as to her cats, did you observe at that time her fondness for her cats? A. Yes; she was very fond of her cats. — Q. You attended her frequently; I presume in her bed-room? A. Always in her bed-room. — Q. What did you observe about her bed-room? A. I observed nothing particular at all. — Q. Was that from January up to February, 1848? A. Yes. — Q. Have you seen sometimes her cats in her bed-room. A. Oh frequently; I have often had to let them in and out of the door; they used to scratch the door when they wanted to come in or go out. Mrs. Cumming has frequently asked me to let them out. — Q. Did you see anything in her bed-room to justify the statement as to the state of filth in which it was? A. No; certainly not. — Q. Nothing of the kind? A. Nothing of the kind. — Q. And you were in her bed-room constantly? A. For a year and a half. — Q. Now, what was the next time you were sent there? A. Next time I was sent for to see her at St. Leonards-on-Sea; that was September 4th, 1848. — Q. The same year? A. The same year. — Q. What was the cause of sending for you then? A. She was suffering then from fever—a little delirium. — Q. A temporary delirium? A. Yes; consequent on fever. — Q. How long did you attend her then? A. I remained with her the whole of that day, and came back in the evening, and I recommended her to remove to Brighton, because St. Leonard's was a very inconvenient distance for me to come and see her; I could not get back to do anything for myself. — Q. When did you next attend her? A. I saw her then at Brighton, in September, 16th and 17th.

A JURYMAN.—In the same year? A. Yes; the same year; she went from St. Leonard's to Brighton.

Mr. JAMES.—When did you see her again in London? A. Then I saw her occasionally in November and December, in the Queen's-road. — Q. What year? A. The same year. Then I was called up in the middle of the night, on the 1st of January, 1849. — Q. Was she then in the Queen's-road? A. She was then in the Queen's-road; she was then suffering from extensive inflammation of the lungs,

and pleurisy; sitting up in bed she could hardly breathe, and I attended her from then to February the 15th. — Q. It may be considered, I fear, a little tedious, but I must ask you these questions. Now, from January 1st to February 15th, did you see her nearly every day? A. Every day; sometimes twice, sometimes three times. — Q. Now, we will ask you, as we have heard evidence upon that, what was the state of her bed-room as to filth? A. Nothing of the kind. — Q. What? A. There was no filth at all. The room felt close, in consequence of her never having the window open; in fact, she was very subject to a chronic affection of the eye. — Q. That is visible now, is it not? A. Yes, the slightest thing affects her. — Q. The room was close? A. Yes; and not only that, but she has bodily infirmities. — Q. Was it a fact, that she was labouring under bodily infirmities, which rendered those sort of transactions perfectly involuntary on her part? A. I believe so; I have always looked upon it as so. — Q. You have heard the statements given by some of these servants as to the state of the rooms; as far as you observed it, from January down to February 15th, 1849, is there any ground for such statements? A. I do not believe there is a word of truth in it. — Q. Was there any filth that you observed? A. None. — Q. You say the room was close from the windows not being opened? A. Yes; and from her bodily infirmities. — Q. You observed, I suppose, her partiality for the cats? A. Yes. — Q. Was there anything in it that struck you as strange? A. No, not the slightest. — Q. Do you remember who the servants were? A. No, I do not. — Q. Was she living comfortably and respectably, as far as you observed? A. Yes, always. — Q. Was there anything in her manner, tracing it from January to February the 15th, was there anything in her manner that indicated any unsoundness of mind? A. Quite the contrary. — Q. Will you be kind enough to tell us when you next attended her? A. She had a relapse on March the 10th, and I attended her then till the 27th. — Q. March the 10th in the same year? A. Yes. — Q. The 27th? A. Yes; that was the last of my attendance. — Q. June, 1849? A. 1849. — Q. Pleurisy, was it? A. Inflammation of the lungs and pleurisy. — Q. When did you next see her? A. I saw her then at Brighton, October the 28th, 1851. — Q. Were you sent for? A. Yes, it was a message conveyed in a letter to Mr. Haynes, in which there was a postscript for me to go down immediately to Brighton. — Q. Did you go down? A. I went down by the twelve o'clock train. — Q. Where did you find her? A. In the back drawing-room, which was her bed-room. — Q. In what state of mind did you find her? A. She was exceedingly excited and frightened; in fact, when I was in the room there were one or two knocks at the door, and she started and said, "There now, they will take me to a lunatic asylum." — Q. Have you seen any keepers there? A. Down stairs. — Q. Keepers? A. I could not say they were keepers; I saw four persons there. — Q. Do you know who they are? A. Not of my own knowledge; I was told one was Mrs. Ince, two of them were keepers, and the fourth was, I think, Mr. Turner. — Q. Were they men or women keepers? A. I think it was a man and woman keeper. — Q. Mrs. Ince, a man and woman keeper, and Mr. Turner, the attorney? A. Yes. — Q. You said she was excited and alarmed? A. Yes, of course; I will not vouch who they were. — Q. You found her very much excited and alarmed? A. I did. — Q. What passed; what did you say to her; did she describe to you what had happened? A. Yes; she told me that her door had been broken open violently, and that she had been examined by Sir Alexander Morison and Dr. King and Mr. Turner. She complained very much of the mode in which the examination was conducted. — Q. What did she say about that, as nearly as you can remember? A. She said that a great many very coarse questions were put to her, and some she said she would not answer. To ascertain the truth of this, I asked Watson, who was in the room, what was the nature. — Q. In her presence? A. Yes, in Mrs. Cumming's presence. — Q. What was the nature of the conversation? A. Of the questions. — Q. Well? A. And she did state things to me that somewhat surprised me, and which I had rather not repeat, relative to her husband. — Q. Were they, in your opinion, coarse and indecent questions to put to a lady? A. Mrs. Watson stated to me that they were put by Mr. Turner. — Q. I am afraid we must have what was said? A. I had much rather not repeat the expressions.

A JURYMAN.—We are not here to try Mr. Turner's conduct. I do not think it has anything to do with the question.

The COMMISSIONER.—How this lady was treated by Mr. Turner may be material. Mr. JAMES.—Most material, sir.

Witness.—She was asked about her husband, if he was not a very gay man, if he had not connexion with the servants and nurses, and the different persons; to which Mrs. Cumming did not reply.

Q. State it shortly, if you please? A. And then Mr. Turner, so Mrs. Watson said, asked Mrs. Cumming, "Did you not see Captain Cumming do the thing?" Of course, I do not vouch for the truth of this. I have nothing to do with it.

The COMMISSIONER.—Q. You were present when this was told to Mrs. Cumming? A. Yes, there was a good deal in the same kind of strain.—Q. In an offensive and indecent manner? A. Yes. I expressed myself at the time, that it was bad enough for a physician to ask those questions.

A JURYMAN.—Did she answer while this was going on? A. Yes, she said it was so.—Q. And you say she stated she refused to answer? A. She did.—Q. Now just state as shortly as you can what passed? A. I was in the room for some time, and after that I left with the intention of calling upon Dr. King. I went to his house, but I did not see him.—Q. Did you leave her at Brighton that day? A. No, I returned again, and found Mr. Elliott in the drawing-room with Mr. Haynes, that is the keeper of the Effra Hall Lunatic Asylum.—Q. You gave a certificate that she was not fit to be removed? A. Yes, I did.—Q. And at that time, before you gave that certificate, you saw Mrs. Cumming? A. I did.—Q. Did you believe, at the time you gave that certificate, that she was not fit to be removed? A. Yes.

Mr. PETERSDORFF.—It had better be put in.

Witness.—I gave that certificate to Mr. Elliott.—Q. I believe you made an affidavit in verification of it. A. I did.—Q. Was she in your opinion at that time in a fit state to be removed? A. Clearly not; and what made me give a certificate more strongly was this, that I was told that she was to be removed by the railroad, and I had heard Mrs. Cumming express herself so many times of her aversion to railroads, that she had never been on one, and she hoped she never should, and I think, if I remember right, there was something of that kind mentioned in the certificate.—Q. You made an affidavit that she was not then in a fit state to be removed as she was? A. Yes.—Q. How long did you remain with her? A. I saw her that evening, and I remained at Brighton that night.—Q. That was the night of the 28th. A. Yes, and I saw her on the morning of the 29th early.—Q. Where? A. On my visit then I saw either one or two persons in the parlour who had remained there all night, I was informed.

Mr. JAMES.—Q. Who were they? A. I was told they were the keepers from the asylum? Q. Were they the same people you had seen before? A. I imagine they were.—Q. Did you see Mrs. Cumming? A. Yes, I did.—Q. In what state did you find her on the 29th. A. I found her rather quieter than she was the day before, but she was in great fear, she knew that directly I went to London they would take her off to an asylum. I said what I could to pacify her. I stated they would not do anything of the kind.—Q. You did what you could to pacify her? A. I did.—Q. Did you then leave Brighton? A. I left Brighton. I made an affidavit the same day in London, and I did not see her again till November the 26th, after her removal from the asylum.—Q. Where did you see her? A. In the Queen's-road, where she is now.—Q. After she had been taken to the Asylum at Effra Hall, and brought back to the Queen's-road, you saw her on the 26th of November. A. Yes.—Q. Have you seen her constantly since? A. I have seen her about three times a week since.—Q. Up to the present time? A. Yes.—Q. You have had many opportunities of seeing her and ascertaining the state of her mind? A. Yes, I have.—Q. Is it your opinion that she is of sound or unsound mind? A. It is my opinion that she is of sound mind.—Q. I will first ask this question as to her physical state on the 26th of November. Did you find her then altered after she had been at the Effra Hall? A. In fact she was suffering greatly from exhaustion, she could really answer no question whatever.—Q. What day had she come from the asylum? A. I do not know, she had been removed some few days.—Q. She was very much altered? A. Yes.—Q. Suffering greatly from exhaustion and could hardly answer you? A. Yes.—Q. Was she suffering pain did she say? A. Yes, great pain in her bowels. I think she had diarrhoea.—Q. And nervousness? A. Very much.—Q. And her nerves had

been shaken? A. Very much; in fact, to use her own expression, she wished that she might be left to die. — Q. That she stated to you when you saw her when she first came from the asylum? A. That was the first visit; I said very little to her.

Cross-examined by Mr. PETERSDORFF.—You say that you first knew Mrs. Cumming in 1847? A. I did. — Q. Where were you yourself residing at that time? A. I resided—in fact, I had been only in St. John's Wood about a month, in the Queen's-road. — Q. Were you living near Mrs. Cumming? A. About twenty yards off, perhaps. — Q. From her present residence? A. Yes; immediately opposite. — Q. Was your first knowledge of Mrs. Cumming derived from her accidentally sending to you? A. Yes. — Q. You had no introduction at all? A. No. — Q. Were you at the time acquainted with Mr. Haynes? A. No, I did not know Mr. Haynes for a month afterwards. — Q. Have you directed much of your attention to cases of insanity? A. I have seen a great deal of it. — Q. What opportunity have you had of seeing a great deal? A. I was a pupil of the celebrated Dr. Pritchard, of Bristol, and attended Saint Peter's Hospital, where there are several wards devoted to insane cases. — Q. Then, as I understand you, your knowledge of insane cases was derived from the information you got during your pupilage? A. No; I have had several cases, and even now. — Q. How many cases do you think you have had under your own superintendence? A. Really, I cannot say. — Q. How long have you been in practice on your own account? A. About twelve years. — Q. And have you had about thirty patients? A. Yes, private patients. — Q. Have you no public institution under your arrangement? A. Yes, I have; I am physician to the Western General Dispensary, not an insane institution. — Q. You are not connected with any public institution for the reception of the insane? A. No. — Q. You have stated that a number of times you have seen Mrs. Cumming, and given us a long list of dates. Will you tell me whether during the time you were attending her there was any other medical attendant besides yourself? A. Not perhaps at the precise time I was attending. — Q. But about those times? A. Yes. — Q. Can you fix about the time there were other medical persons attending the patient besides yourself? A. Dr. Caldwell, I imagine, attended her in 1848, from about March to about August or September. — Q. Were you in the habit of meeting in consultation on this occasion? A. No, not at all. — Q. Can you give me other times at which you know Dr. Caldwell or some other medical man was attending as well as yourself? A. I believe Mrs. Cumming was exceedingly fond of having medical gentlemen. I am sure she has had enough of it lately. — Q. Will you be kind enough to tell me if you can fix on other times when other medical men were attending her as well as yourself? A. I imagine Dr. Caldwell might have attended her after September perhaps, to November or so; I think she has told me she had seen Dr. Caldwell, she made no secret of it. — Q. You have said that you attended very frequently indeed upon Mrs. Cumming—about what time used you to go? A. At all times. — Q. Were you ever there early in the morning? A. I have been there very early in the morning—six o'clock in the morning, when she has sent for me. — Q. What was the time of your ordinary visits? A. About eleven or twelve. — Q. I suppose at those times when you called it was an understood thing that you would make your visits about eleven or twelve? A. Yes. — Q. When you went at eleven or twelve in the day the room was to rights? A. Yes, exactly. — Q. Did you at any time visit Mrs. Cumming on the footing of an acquaintance, or was it always professional visits you paid her? A. I used to see her often upon the footing of an acquaintance; frequently I called without expecting any fee at all. — Q. Have you ever dined with her, or drank tea? A. I think I have dined with her once. — Q. In the course of all these visits, did not Mrs. Cumming frequently introduce the names of her daughters? A. Frequently. — Q. Was not that a prevailing topic when she had these conversations for an hour or two hours together, and she was very chatty? A. It was not what I could call a universal topic. — Q. Was it not a very prominent topic in her conversation? A. Sometimes it was, but not always. — Q. Will you, then, be kind enough to tell us whether you have not heard Mrs. Cumming, over and over again, express the strongest feelings of prejudice against her daughters? A. I have heard her express very frequently, and in very strong terms, her feelings against her daughters, in consequence of things that had occurred. Q. Did you ever hear her adopt at any other time a manner except that of very strong prejudice and dislike. A. I think her remarks, generally

speaking, were directed against the husbands of her daughters. — Q. Did you ever hear her assign, for instance, any reason against Mr. Ince for her detestation of him? A. The reason that she assigned for her disliking Mr. Ince, that she believed he had been, in a sense, instrumental in persuading her daughters to take proceedings against her and putting her in a lunatic asylum—that was the notion she had—and against Mr. Hooper, she disliked him because he was a trampeter, she called him. — Q. In these conversations, when she mentioned the name of Mr. Hooper, did she always persevere in charging him with being a trampeter.

Mr. JAMES.—He was a trampeter.

Mr. PETERSDORFF.—At the time you heard Mr. Hooper's name mentioned, was not her complaint against Mr. Hooper that he was a trampeter? A. That was one of her complaints. — Q. Do you remember any other complaint she brought against Mr. Hooper? A. That she thought it was a very great degradation for her daughter to marry him. I need not tell you Mrs. Cumming is a Welsh woman. — Q. What inference we are to draw from that I do not know?

Sir FREDERICK THESIGER.—Because they are fond of their pedigrees.

Mr. PETERSDORFF.—Did she boast at all of her exalted descent? A. She was very proud. — Q. Was there any other ground of complaint against Mr. Hooper than as being a trampeter? A. A trampeter, and being in station beneath her daughter. — Q. In these conversations, did you hear from Mrs. Cumming that she had been perfectly reconciled to Mr. and Mrs. Hooper for several years? A. I think I did hear something of the kind. — Q. Having heard that they were reunited, did Mrs. Cumming at any time suggest to you any reason why she renewed her feelings of hatred against Mr. Hooper? A. Not that I remember. I do not charge my memory with it. — Q. Did you not learn from Mrs. Cumming that the marriage of Mrs. Ince was with her perfect consent and approbation, and the consent and approbation of Captain Cumming? A. I really do not know. I should not like to answer. — Q. You have said that Mrs. Cumming was a woman of an irritable temper, or only at times? A. No; very affable occasionally. — Q. When she became irritable did you observe that there was any reason for her change of manner? A. I think she generally used to get so from her own description of her wrongs. — Q. Am I to understand she worked herself up in a passion in that way? A. Yes, frequently. — Q. When she talked about this proceeding of the milk—you say she mentioned that very often—did she say who she thought had introduced the poison? A. No, I do not know that she ever showed it to me. — Q. Will you undertake to say that she did not state who it was that she suspected of having poisoned the milk? A. I will say that I do not recollect Mrs. Cumming saying to me who she thought it was. — Q. Will you swear she never expressed to you her suspicions on that subject? A. Certainly I will. — Q. You represent to the jury she never on any occasion at all intimated to you whom she supposed poisoned the milk? A. I do not believe she ever did. She stated to me often that there was poison in the milk, and that her fowls died. — Q. Did she ever suggest to you how she thought the poison had been introduced into the milk? A. No. — Q. Did you never ask her? A. Not that I know of. I may; but I do not remember. — Q. Will you undertake to swear that when she made that statement about the poison in the milk, your information did not suggest questions to her? A. I should be sorry to say at this distance of time. I did not ask the question at the time; but my impression is, that she never did state to me who she suspected, most certainly. — Q. You have stated your opinion that Mrs. Cumming is of sound mind. Will you have the goodness to explain what is your definition of a sound mind, as contrasted with an unsound one? A. I take it, a person is of sound mind whose conduct, thoughts, actions, and affections, are in accordance with those of the great mass of mankind. As regards the standard, it is a very uncertain thing to talk of a standard of unsoundness, because we generally take ourselves as the standard, which is rather a fallacious thing, so that I should not take a person of unsound mind who differed from myself. — Q. You would take as a test of perfect soundness of mind, your own natural mental capacity? A. I would. — Q. Now supposing you were to labour under some delusion, not as a theory or speculative doctrine, but with respect to a physical fact, and that no reasoning or evidence could remove the erroneous belief from your mind, would you say that was indicative of soundness of mind, or the opposite? A. There are many delusions. — Q. Answer the question, if you please?

Mr. JAMES.—He must finish his answer.

Sir FREDERICK THESIGER.—It was perfectly clear that he was not about to give an answer to my learned friend's question.

Mr. JAMES.—He may give an answer, and if it is not an answer, he may repeat the question.

Witness.—I never answered it.

The COMMISSIONER.—Put the question again.

Mr. PETERSDORFF.—I take your mental capacity as a test of soundness? A. You may, if you like. — Q. I dare say we cannot have a better. Supposing you believed the existence of a physical fact which was shown to you by demonstrative evidence did not and could not exist, would you say that a permanent belief in its existence was consistent with that soundness of mind you perhaps justly attribute to yourself? A. It might or might not, under particular circumstances, according to what that fact was. If you will mention what it is, I will tell you; there are so many physical facts. — Q. I will illustrate what I mean. Suppose you laboured under a delusion that the table at which those gentlemen are sitting is not a table, and you persevered, year after year, in defiance of the physical evidence of the existence of the table, that it was not a table, would you say that was indicative of insanity or not? A. A person who believed that which was acknowledged by all the world to be a table, and who could not be reasoned out of it, that would be a delusion. — Q. And it would be evidence of insanity? A. It would be an insane delusion. — Q. Supposing you were reasoned out of the erroneous belief as to that not being a table, and after the lapse of a year or two, were to return again to that delusion, would you say that that was indicative of returning insanity? A. It frequently is the case in insane cases. — Q. As to the test of insanity, is there not a distinction between a disbelief in an ascertained physical fact, and a disbelief with respect to a mere theory or doctrine? A. Yes, there is a difference. — Q. With respect to a want of evidence as to a theory or doctrine, would you say that was indicative of insanity? A. Certainly not. — Q. But if it related to a positive doctrinal fact, it would be? A. I imagine it would. — Q. You have obliged the jury, though it was rather an incidental remark, as to the distinction between delusions and insane delusions? A. Yes. — Q. Will you point out to the jury the difference between a delusion, and a delusion which constitutes insanity, according to your notion? A. I take it, an insane delusion is the expression as to the reality of things which do not really exist and the action of the person in accordance with that belief, or you may have an insane delusion where there is some foundation in fact, but the ideas are carried out to an absurd and extravagant extent: those are insane delusions.

Mr. PETERSDORFF.—Q. I suppose you would not call it an absurd delusion for a person to keep two or three cats? A. Certainly not. — Q. But would you call it an insane delusion if some person kept five or six cats, kept them in her bed-room, and scarcely ever allowed the door to be opened?

The COMMISSIONER.—Q. Is keeping cats a delusion? A. Certainly not.

Mr. JAMES.—The keeping a live cat cannot be a delusion.

Re-examined by Mr. JAMES.—Q. Keeping a cat, or five thousand cats is not a delusion? A. No. — Q. And that would rather range under an eccentricity bordering on extravagance of mind? A. Yes. — Q. I asked you whether you think keeping six cats is such an extravagance as would be a test of insanity? A. Certainly not. — Q. My learned friend put Bishop Berkeley's theory, the belief of a table not being a table. I suppose if a person stated to you that a table, which you yourself thought was a table, looked like a sofa, before you pronounced that it was a delusion, you would inquire whether there was any disease in the eye? A. Yes. — Q. If a person whom you were called on to attend, said, "That table is not a table, it appears to me to be a sofa," would not the first thing you would inquire be, whether the eye was in a healthy state? A. No doubt there are many speculative delusions. — Q. If a person told you it was not a chair, but it was a stool, would not your first question be to inquire what was the state of the retina of the eye? A. No doubt. — Q. Must it not therefore depend entirely upon circumstances? A. No; every case must be judged by its own merits. — Q. Another question was put to you, which a little unintentionally and unfairly represented your answer. I think you said that an examining party called in to test insanity, naturally takes as the standard of sanity his own case? A. Of course. — Q. You do not set up your own state of mind as the standard of sanity, but as a standard of sanity by which

the examining party tests the examined party? A. Yes.—Q. Perhaps the same things must be said of a jury? A. Yes.—Q. And to some extent, therefore, you set up the standard which exists in your own mind, of what seems to be, to you, to be sound? A. Yes; but I stated that that must be a fallacious standard.—Q. You have given a definition of delusions which are insane, there are delusions which are not insane, are there not? A. Certainly.—Q. Will you give us an instance, if you please, of a delusion which you do not believe to be insane? A. Speaking professionally, I should say that I believe mesmerism to be a delusion—

Sir FREDERICK THESIGER.—That is not a fact, but a theory.

Mr. JAMES.—Q. May not that theory be so strongly existing in the mind of a person as to be what is properly called a delusion? A. Certainly.—Q. I believe the mesmerites alleged it to be a theory supported by facts? A. Certainly.—Q. And you believe it to be wrong. A. Certainly; I do not believe persons who believe in mesmerism to be insane; there are many sects in the world, too, that suffer from delusion.—Q. You have been asked as to a disbelief of an ascertained fact, that must depend, must it not, very much on circumstances? A. Certainly.

A JURYMEN.—I do not understand what you said about the next generation, that would be disproved in the next, consequently they are no longer facts.—Q. Would you believe a person mad whom you could not convince that George the First lived historically? A. Certainly not. Speaking about facts, there are many things now stated as facts, which, by further experience, will be proved to have exceptions to them, and a thing which is an exception cannot be a fact.

Sir F. THESIGER.—That is the progress of science? A. Exactly.

Mr. JAMES.—You were to put a general question. Would a permanent disbelief in, and ascertained, be an insane delusion, and your answer was, it might, or it might not. Must it not depend upon the ascertainment of the fact, and the agreements you bring to the mind of the individual for its existence?

The COMMISSIONER.—So long as the fact remains a fact, the inference to be drawn from it must be the same? A. Yes.

Mr. JAMES.—And you would make a great distinction between the disbelief, in fact, permanently brought to the mind of the individual, of the existing means on which she had more evidence of its existence. For instance, suppose a person who did not believe that the "Amazon" was lost the other day, would you believe that person was mad? A. No.—Q. Should you say Joshua was mad because he demanded the sun to stand still? A. No.—Q. Must it not depend upon the ascertainment of the fact as brought to the mind of the person? A. Certainly.—Q. Would you say a person was mad who would not believe that the "Amazon" was lost? A. No.—Q. But if that person saw the vessel go down, and would not believe it was lost, you would? A. Yes.—Q. Must it not depend upon the existence of the fact, as brought to the mind of the individual? A. Certainly.—Q. Did you frequently call upon her without her knowing you were coming? A. Yes, at all times.—Q. So that you found her in her bed-room without any particular care to receive you? A. Yes, I have been there as late as ten or eleven.—Q. And at six in the morning? A. Yes; I never went at six or seven, unless I was sent for.—Q. Have you been at all times? A. Yes, at all times.

A JURYMEN.—In all your conversations with this lady did you ever have any conversations about her property? Yes.—Q. Will you state what she said to you about her property? A. She has merely told me that she had estates in Wales.—Q. Did she ever tell you about selling any of her property? A. Yes; she told me she had sold three or four places, and about the railroad.—Q. Did she say what she sold them for? A. I do not know that she mentioned the amount.—Q. Did you not ask her what the railroad gave her? A. I think I have asked her lately.—Q. Did she ever tell you the amount she got from the railway and water-works. A. I think about £6000.—Q. For the four? A. Yes.—Q. Did she say how much for each? A. I think Bassaleg she said 2000*l*. There were two and 2000*l*. and 3000*l*. or a little more each.—Q. Did she ever talk about a will? A. Yes; she often told me she had made a will, but she had never signed it.—Q. Did she tell you when she made the will? A. It was a very long time ago—I think it was about, or shortly after, the former commission.—Q. After the commission she spoke about having made a will? A. Yes.—Q. Did she positively tell you she had never signed it? A. No.—Q. Did she tell you she had ever burnt a

will? A. No; I think not. She told me she had not left her daughters anything. — Q. Did she tell you who she had left her property to? A. She said she had left her property to those people who stood by her in the former commission. I had often spoke to her about her living, as I termed it, so very fast; but she said she never intended to leave any money behind, so that there should be no litigation about it. She always had the determination not to leave any money; she said she never would. — Q. On the 24th September you attended this lady at Hastings? A. September 4th at St. Leonards. — Q. And there was delirium tremens? A. Yes, she was suffering from fever. — Q. Was it delirium tremens she had at that period? A. I can only go by hearsay. I was told that that fever was brought on by her drinking a little too much wine or brandy, or something of that sort.

The COMMISSIONER.—Do you mean that you made the inquiry when you were down there? A. Yes. — Q. So as to satisfy your mind as a professional man? A. Yes. Before you could begin any treatment you must find out what is the matter with your patient.

A JURYMAN.—Since that period you have attended her, have you had any reason to believe she was under a similar influence? A. I have not seen her what you would term intoxicated, but I believe that I have seen her some few times when, perhaps, she has taken a little more wine or brandy than was of service to her—nothing further than that. — Q. Do you know what quantity of wine or brandy she was in the habit of taking in the course of the day. A. I think she takes some few glasses of wine. — Q. What quantity of wine? A. I should not think a third of a bottle, or half a bottle, at least. — Q. What quantity of brandy? A. I imagine at that time it was a couple of glasses. — Q. In the course of the day? A. Brandy and water I am speaking of. — Q. Do you suppose a person in her delicate state of health taking that quantity of wine and brandy, that it would produce the effect of delirium tremens? A. Yes, I think so; more especially as Mrs. Cumming's digestion very frequently is very bad, and frequently she eats very little, consequently. — Q. But, by taking the quantity you have alluded to, it might have, up to the present time, the effect of causing a derangement of her intellect? A. I would not say that. I think it may account in a great measure for her burst of passion. I think that is very possible.

The COMMISSIONER.—You think the quantity of wine, or brandy and water, might account for it? A. For her passion. I do not exactly understand you. — Q. You said something might account for these ebullitions of passion? A. I imagine that all persons who take little alcoholic stimulants makes them rather irritable.—Q. The nurse says she takes a bottle of port in a day and a half; is that too much? A. It is a very large quantity; I should not like to take it myself.

The COMMISSIONER.—Would you recommend it for her? A. No; certainly not. There are cases I know of. A lady I attend, with a member of the College of Physicians, and the lady took nothing but gin, and I think she took a quart of gin daily; and as regards anything solid, there was not half an ounce of food taken, and she lived for six weeks upon it, and it was the thing that sustained life.

A JURYMAN.—Would not taking that quantity of gin produce continued weakness? A. It would eventually exhaust the powers of life; there is no question about that; but it sustained life for a time.

The COMMISSIONER.—You gave a certificate that she ought not to be removed from Brighton? A. I did. — Q. She was removed? A. Yes. — Q. Were you surprised that she suffered no material injury from it? A. I was very much surprised.

A JURYMAN.—Did you ever hear her state, out of the money she received from the sale of her property she had paid for law expenses? A. I think she has told me, two or three thousand pound the inquiry cost. — Q. You were never told it was £5000? A. No; I am speaking merely of the Commission. — Q. I am speaking of the money she has received from her estates, how much money she has paid for law expenses? A. What I was stating was merely the commission, to which she said there were law expenses since.

The COMMISSIONER.—She told me she had 3000*l.* to give her daughters. A compromise that she had given her daughters 3000*l.*, and that she abused Mr. Haynes very much for it at the time. She said he was only making bullets for her daughters to fire at her. You have heard her abuse Mr. Haynes? A. She abused Mr. Haynes for it. — Q. Did you ever hear her abuse him for anything else? A. Really I do not know—I may or may not. I do not remember the circumstance.

Q. You seem to have seen her in different kinds of illness. Do you think her memory is still affected? A. Now? — Q. Yes. A. It is not the same as when I attended; it is very much impaired lately. — Q. Her mind? A. No, her memory is very much impaired. — Q. Since when do you think this has been? A. The last time I saw her was March the 27th, 1849, except lately. — Q. Are there not other circumstances that lead you to the conclusion that a person is in a wrong or right mind. A. Certainly. — Q. A question of fact. A. Yes. — Q. Did you ever see any person have strong opinions with reference to their children, who were considered to be in their right mind? A. Provided there is no cause. — Q. No original foundation? A. No original foundation. — Q. Supposing there to have been a good original foundation for that unfortunate hatred, and you find your patient becomes suspicious, and applies suspicion to everything unconnected with those same individuals, is that any symptom at all, I will not say a test, of sanity or insanity? A. I do not understand the question. — Q. Suppose a person has a great hatred against her children? A. Without a cause. — Q. Without a cause; and you find that take such possession of the mind that other people are looked on with a jealous eye, and supposed to be in connivance with those daughters. A. A morbid perversion of the affections no doubt is an unsound state of mind; morbid perversion of the affections I am stating, of course, without foundation. — Q. Suppose Mrs. Cumming has an aversion to her children without foundation; then she sees them, and is on good terms with them, and on a sudden, without real cause, she takes an impression that other persons are connected with her children,—is that any symptom of insanity? A. It is not. Her mind is so engrossed with the notion that the daughters are persecuting her, and that originates in actual facts and not assumed. I think that the mind of a person so constituted may be induced to regard other persons whom she may imagine friends of these parties with suspicion. — Q. If you can lead a mind on under such circumstances? A. I hardly think if you could, that it would be sufficient grounds for saying that person was unsound. — Q. Would it be, to a certain extent, a test. A. It would lead one to pause; and then, if you had other circumstances to back it, it would strengthen you in your opinion. — Q. You must have many things which draw you to the conclusion—one would not satisfy you.

A JURYMAN.—If you were called upon to ascertain whether Mrs. Cumming was of sound or unsound mind, you would question her as you have done, in order to come to that conclusion? A. I would put as many questions as I possibly could.

The COMMISSIONER.—When did you first observe her memory fail? A. I only had an opportunity of seeing her since her return from Shoreham. — Q. When? A. In November. — Q. Did you observe any failure in her memory about November? A. I have not seen her since November, 1849, not once; I have never seen her from March 27th, 1849, till she removed from Shoreham, in November, 1851. — Q. You were sent for to Brighton? A. Yes. — Q. Did you observe any alteration in her memory then? A. I had not an opportunity; I was only sent down for a specific purpose. — Q. When you first saw her, after her return to Queen's Road, was it the first time you saw an alteration in her? A. Yes.

A JURYMAN.—Did you ever, in your experience, see a similar case where a mother, whose feelings were so strong on such a subject? A. Speaking from my own personal experience, I do not think I ever did.

The COMMISSIONER.—If you had been asked when you saw her come home from Effra Hall, to have attested a will, in which she had given her property from her relations, would you have assented or dissented? A. She was not in a fit state to do anything then; she was a person suffering from extreme exhaustion, and, in fact, I could hardly get any words from her at all. — Q. You say she has improved since? A. Very much improved. — Q. When did you see her last? A. I saw her yesterday. — Q. How long were you with her? A. I saw her yesterday, twice. In the morning. — Q. What time? A. About—I think it must have been about ten or eleven o'clock; no, by the bye, she sent for me at nine o'clock. I saw her about nine o'clock, and afterwards went with Dr. Caldwell to see her; but that was merely because she was suffering from diarrhoea.

A JURYMAN.—If the Commissioner questioned Mrs. Cumming as to her knowledge of what property she had sold, and if on the first day she told us that two

lots had been sold for 2000*l.*, and a third for 3000*l.*, and called those three lots 9000*l.* instead of 7000*l.*, and if on the second day she was questioned, and then told him there had been two lots 3000*l.*, and never mentioned the other two, would you draw the inference that she was capable of judging of her property. A. I should draw the inference that her memory was not correct; loss of memory is no test of insanity, especially as she is seventy-six years of age.

The Commissioner.—A total loss of memory may, or may not be? A. Yes.

—Q. A total loss of memory is a defect of mind? A. You cannot have a perfect mind with perfect loss of memory; only a great many things are to be said with regard to the age of the person. Now I know several relatives of mine, not so old as Mrs. Cumming, and have not the slightest idea of their property, or very little memory; but I do not imagine I should be justified in saying they are of unsound mind. —Q. Would you allow those persons to make a will with your sanction? A. Not unless it was thoroughly explained; otherwise, if they are not allowed to make a will, you would deprive a number of persons from the just exercise of their rights. —Q. It requires very great caution? A. Yes; no doubt it requires great caution.

Walter John Bryant, sworn. Examined by Mr. JAMES.—I believe you are a member of the Royal College of Surgeons? A. I am. —Q. In the year 1846, while the commission was pending against Mrs. Cumming, did you go over to the Horns Tavern and see her? A. I did. —Q. I believe the first time you saw her was in the room while the inquiry was going on? A. I was sitting beside her in the room. —Q. I believe you were taken over there by Mr. Haynes. I believe Mr. Robinson is a patient of yours, his partner? A. Yes; I received a letter from Mr. Robinson, desiring me to go. —Q. Had you then conversations with her? A. I had several conversations with her. —Q. Did you form any opinion of her soundness or unsoundness of mind? A. I formed an opinion that she was of sound mind. —Q. And I believe you were prepared to give evidence of that kind if it was required? A. I was. —Q. When did you again see her? A. I saw her again on the 25th of December last. —Q. Where did you see her? A. At her house in Queen's Road, St. John's Wood. —Q. The same house as she is in now? A. I believe so. —Q. You learned, of course, at that time, that she had been to the asylum at Effra Hall? A. She had come from an asylum. —Q. When did you see her alone? A. I saw her on the 6th of January. —Q. I believe you wished to see her alone? A. I wished to see her alone. —Q. Had you conversation with her with a view of forming your judgment as far as you could of the sanity, or soundness or unsoundness of her mind, on the 6th of January, 1852? A. On that day I merely had conversation with her in regard to her property, and on other matters. —Q. Do you remember, in the conversations you had with her, saying anything about her children? A. I told her it was alleged that she had an unfounded antipathy towards her children. —Q. What did she say? A. She said it could not be expected that she could entertain that feeling of affection towards her children she had hitherto done, as they had, on more than one occasion, placed her in a lunatic asylum, and they still intended to do so, she believed. —Q. Did she allude to one child only, or to both, generally? A. She spoke of her children. —Q. Do you remember anything occurring about the poison, the analysis that Dr. Barnes made; I may perhaps remind you you had seen the report which had been made by Dr. Monro and Sir Alexander Morison to the Chancellor? A. No, I have not; I have heard these allegations, and I questioned her upon them. —Q. Now, about the poison and analysis? A. I said it was alleged she had stated some poison had been placed in some milk, and I wished to know if that were true. —Q. What did you say to her? A. That was my question to her; her answer was, that her suspicion had been excited by the fact, that a cat, or cats, had refused to drink some milk placed before it; that about the same time a fowl had died—a white fowl, I believe she said had died—and that she was suspicious that poison had been used for that purpose; that a servant had brought in a paper containing a substance which, together with the milk, she had given to Dr. Barnes, who had analysed the milk and the paper, and had pronounced that it contained poison. —Q. Did you afterwards ascertain whether that was the fact, or did you know before that Dr. Barnes had made some analysis? A. I did not know that he had; she also mentioned some chemist, but at this moment I cannot recollect the chemist's

name. Some chemist had assisted Dr. Barnes in the analysis. — Q. Do you remember her saying anything about strangling by Mrs. Ince? A. I then said it was alleged that her daughter, Mrs. Ince, she had said, attempted to strangle her. — Q. What did she say upon that? A. She said it was a falsity. — Q. Did she give you any description of what had occurred, and what was the foundation for the statement? A. She did; I asked her if there was any foundation for such an imputation. She then said, that for some time previously she had been living in apprehension that her daughters intended to place her in a lunatic asylum; in fact, that she believed it was their intention to do so; and that, on one occasion, Mrs. Ince rushed, unannounced, into her room; pushing the servant rudely on one side, she threw her arms about her neck. — Q. Mrs. Cumming's neck? A. Mrs. Ince threw her arms round Mrs. Cumming's neck. She exclaimed at the moment, "Are you going to strangle me?" or some such expression as that. — Q. She says she did? A. She says she did; but recovering from the temporary or transient fear which she experienced by the suddenness and abruptness of the act, she dismissed the impression as quickly. — Q. She told you so? A. Yes, that is the substance of what she said; I do not mean to say that is the precise phraseology. — Q. Did you say anything to her at that time about its being alleged that she had attempted with a knife to make some attack on one of the Hickeys? A. Yes; but previous to that I said, it is also alleged you have attempted to cut the throat of one of your servants. — Q. One of the Hickeys? A. I believe it was Ann Hickey. — Q. What did she say to that? A. Her answer to that was, "It is a falsity. I have been brought up to fear God, and with principles far different to that, sir." — Q. That is what she said? A. Those are her precise words. — Q. Did you ask her who the medical men were who had visited her on that day? A. On the 6th I did. — Q. Whom did she tell you had visited her on the 6th? A. She informed me that Dr. Forbes Winslow and Dr. Monroe had seen her. — Q. That day? A. That day. She expressed herself as feeling ill, and feeling exhausted from having seen medical men previously to my visit at that time; she was partaking of some refreshment. — Q. Do you remember anything that she said to you about Dr. Monroe? A. She said Dr. Monroe had, on his introduction, expressed himself to the effect that she was not to feel alarmed, that he came there in a friendly way towards her; to which she replied, "I can scarcely consider that to be the case, Dr. Monroe, as I believe you have signed an affidavit certifying that I am of unsound mind." — Q. During the conversation you had with her, from seeing her on these occasions, did you form an impression as to whether she was of sound or unsound mind? A. From the conversations I had with her on those two occasions, I am certainly of opinion that she is of sound mind. — Q. You have been made aware of the facts, of course, of the previous commission against her, and her being confined in the lunatic asylum? A. I was aware of it. — Q. Although she may entertain very strong feelings of aversion against her children, do you call that a delusion, if there is any foundation in fact for the aversion she has of their conduct? A. It could not be a delusion if there is a foundation for it. — Q. The mere fact of the aversion is not evidence of insanity? A. No, it is a question of degree. — Q. Having ascertained there was some ground for the statement of the poison, are you of opinion that is a delusion? A. No, it is not a delusion. — Q. From the judgment you formed, you believe her to be of sound mind? A. I do. — Q. Her memory is impaired to some extent from age, is it not? A. I could have no opportunity of positively testing that. She did not immediately recognise me as having seen her in 1846. — Q. She did afterwards? A. Yes, she knew me upon that occasion; the light was glancing into the room, and she was evidently suffering from some affection of the eye. — Q. After you had conversed with her for some time, did she know you? A. Not immediately; but she soon recalled to my mind facts that had taken place when I saw her in 1846.

Cross-examined by Sir F. THESIGER. — Q. Have you considered from that that her memory was not impaired? A. I could not say as to the amount of impairment. — Q. You say, on the 28th December, I have had conversations with her; I do not understand whether that was in the presence of Mr. Haynes or not? A. Mr. Haynes was present. — Q. The whole time? A. The whole time. — Q. How long did that last? A. I should think about an hour—quite an hour. — Q. What were the particular subjects which were conversed upon when Mr.

Haynes was there? A. Upon the different allegations as to the attempt of Mrs. Ince to strangle her,—upon her unfounded antipathy to her daughters,—upon the allegation that she had attempted to commit suicide,—and also to cut the throat of one of her servants—and about the poison. — Q. Did you converse with her about the same topics on the second occasion? A. No, I did not. — Q. What were the topics on the second occasion? A. They were as to the property. — Q. Nothing else? A. Nothing else—when I say nothing else, I might recollect some things, but my principal object in my second visit was with regard to her property. — Q. What did she say about her property? A. I asked her what her income was derived from? she answered, from the funds and from lands and houses. — Q. Did you ask her what amount of property she had? A. I did not ask her the amount of property; but the question I asked her, “What do you think is the amount of the annual income arising from this property?” — Q. What did she say? A. She said between £400 and £500 a year. — Q. I want to know whether she represented to you that she had the notion of her daughter intending to strangle her when she came into the room in that way, but that the impression was almost immediately removed? A. No, she did not say that; she said, it was in consequence of her daughter throwing her arms round her neck that the notion was created. — Q. Do you mean she said the impression was removed during the visit of her daughter, or that subsequently it was removed? A. “She reflected,” she said, “on recovering from my momentary fear,”—those were her words,—she dismissed the impression that the daughter was about to strangle her. — Q. At the time? A. At the time.

Sir F. THEIGER.—In answer to my learned friend, you have given a sort of definition of a delusion, and you say that where there is any ground, any foundation for it, you do not consider that a strong aversion is evidence of a delusion? A. If there be a ground for it. — Q. But I want to know to what extent you carry that opinion; suppose, for instance, the daughters of a mother had been ungrateful to her, and she afterwards entertains the notion that they are going to murder her, do you consider that the mere circumstance of their ingratitude is a justification, if I may use the expression, for an opinion she entertains and carries to that extent? A. I should not call that a delusion. — Q. Then you think any feeling, however slight, would be sufficient to justify any opinion, however strong? A. No, I could not give an opinion, it must be regulated by other facts. I should have more evidence. — Q. As you have given us the character of a delusion? A. I answer it by saying I do not think it a delusion. — Q. Though there is not the slightest ground for it? A. I understand there was a foundation. — Q. Not a ground for a belief they were going to murder her? A. No, but there was a strong antipathy. — Q. Do you consider the belief of ingratitude would be a sufficient justification of the belief that they were going to murder her, so as to take that out of the character of a delusion. I put it thus—I assume there is a foundation for the opinion of the ingratitude of the daughters, and I want to know whether you consider that that would justify the belief, as a rational belief, that they were going to murder her? A. I could not certainly say it was a rational belief, but I should not like to call it to the extent of a delusion. — Q. I do not quite understand you; what do you consider a delusion? A. A delusion, I should conceive, was the existence of something in the imagination of a person, that did not exist in the fact, that only existed in the imagination. I should not like to be so bold as to give a definition of a delusion, that is my expression. Gentlemen who have paid more attention to diseases of the mind than I have would be better able to answer that question; but that would be my own view. — Q. Do you agree with Dr. Hale, for instance, that if a belief or opinion is very much exaggerated beyond what the truth of the fact warrants, that that would amount to a delusion?

Mr. JAMES.—His expression was to an absurd degree.

Witness.—I should not consider that a delusion.

Sir F. THEIGER.—To an absurd and extravagant degree?

A. I should not consider to an absurd degree a delusion—it is a question of degree, that is. — Q. Suppose, for instance, that in some commercial transaction a person had been over-reached; was he in a sound state of mind if he believed that the other had picked his pocket as he was passing through the street? A. Yes. — Q. You would say that was rational? A. I should not say it was.

Re-examined by Mr. JAMES.—Q. Supposing a person narrating a commercial transaction in which he had been over-reached, should you think that a delusion? A. No. — Q. Supposing, narrating the transaction, he had told you I had picked his pocket, should you say that was a delusion? A. No. — Q. You have been asked about her daughters going to murder her—supposing this lady had said that her daughters entertained such a feeling to her, that they would murder her, should you think that a delusion, or a mode of expression as to her opinion of her conduct to her? A. If the daughters had expressed that they would murder her. — Q. Supposing, Mrs. Cumming in describing the conduct of her daughter, that she entertained such a dislike to her that they would murder her, should you consider that a delusion or mode of description? A. A mode of description. — Q. Suppose she said she entertained a feeling towards her that they would poison her, should you think that a mode of description or a delusion? A. A mode of description. — Q. Supposing she said her daughters entertained a feeling that they would not hesitate to murder her, or would murder her, should you consider that very different from the assertion that they were going to murder her? A. Certainly. — Q. Do you consider that a delusion if there is a foundation for it? A. It is a question of degree. — Q. You have stated you have not turned your entire attention to this study, but you have had the ordinary experience of a person in very considerable practice as a general practitioner? A. I should say I have had a fair average.

A JURYMAN.—The interview you had with her was so recent as the evening before this commission? A. The very evening before. — Q. At that time, in your opinion, do you say she was of sound mind? A. Certainly. — Q. During your visits to this lady did you discover there was any presence of liquor? A. At the last visit she was taking her dinner—I presume so—it was about six o'clock. — Q. Your visit on the 6th of January was expressly to ascertain whether she was of sound mind or not? A. Yes. — Q. And did you conceive the inquiries about her property you made, and the answers she gave, were sufficient to enable you to judge? A. Yes. — Q. Suppose she said she had sold property to the Water Works property, and gave no account of what she had done with that property, what would you say then—would you not have gone on further to say, what did you do with it? A. I should not ask her what she did with it, as I should presume she received it if she had sold it. — Q. Would you not inquire what she had done with it? A. I should not consider that a test of the soundness of her mind.

George Simpson, sworn, and examined by Mr. SYMONS.—Q. Are you a member of the Royal College of Surgeons in England? A. I am a fellow of the College of Surgeons. — Q. Have you been in practice as a surgeon during twenty-seven years? A. I have. I passed in the year 1824. — Q. Have you been engaged as a lecturer on anatomy? A. I have, some years since. — Q. Are you the surgeon to the National Vaccine Establishment and the Westminster General Dispensary? A. I was for several years surgeon to the Westminster General Dispensary, and I am now surgeon to the National Vaccine Establishment, a government appointment. — Q. Do you recollect seeing Mrs. Cumming at York House, Battersea, in 1846. A. Yes. — Q. What time? A. On the 16th September in that year, in September, 1846. — Q. Did you see her with a view of examining her state of mind? A. Yes.

Witness.—I think it right to explain that I was requested to attend at the Horns Tavern to watch the proceedings, and to visit her professionally when the case was adjourned at York House Asylum.

Q. You attended her professionally from the 16th September to the close of the commission? A. Yes. — Q. And attended the commission at the Horns Tavern? A. I did so. — Q. Did you have conversations with her upon the occasions of your first visit? A. I had. — Q. Do you recollect the substance of those conversations? A. I told her, on being introduced to her, that I had been requested to attend her to examine into the state of her health. At first I did not immediately allude to any particular subject, but entered into a general conversation as to the asylum she was confined in, the number of patients that were there, and as to whether she was under any medical treatment. — Q. What were her answers to those inquiries? A. The answers that I should have expected—there was nothing particular occurred. — Q. But they were the answers which you would have expected from a perfectly rational mind? A. Yes. I then asked her how long

she had been in the asylum. She said she had been removed there in the month of May, I think. I do not recollect the date, but she said the month of May. — Q. In that year? A. In that year. — Q. Will you proceed, if you please? A. She complained of the position in which she was then placed, and said that her family had placed her there. I asked her who she meant by her family? And she said her daughters and their husbands. I think she said that her house had been seized. She first said that her liberty had been taken from her; that her house, papers and property, I think, had been seized, and that she was without friends or money. — Q. Did she describe to you the mode of her removal to the asylum? A. No, she did not. — Q. This was a general observation of hers? A. This was an observation as to how she came there. She said that her friends had been denied to her. I think she mentioned the name of Farrer at the time that her friends had been denied access to her. She said, "I have been associated with those people," pointing to two females who were mad, who were walking in the grounds at the time. After this conversation, I thought it right to touch on the points which I had heard before the learned Commissioner, and I asked her as to her dislike to her children, and why she had taken that dislike to her children. She said "that her second daughter had married contrary to her wishes, and that her other daughter, Mrs. Ince, had encouraged it." I think she said she either was married from her house, or that she went to church with her. She became a good deal excited at that moment, and appealed to me. She said, "Sir, I do not know whether you have daughters of your own, but do you not think I have sufficient grounds of resentment? Would you not have acted in a similar manner?" — Q. Did she refer to her husband at all? A. I think she said her husband was an invalid at that time. I believe her husband was dead, but she was not aware of the fact, nor was I aware of it till this present inquiry. I have forgotten the circumstance. — Q. Her husband was dead, and she was not aware of the death? A. She did not say her husband was dead. — Q. Will you proceed if you please? A. She said that none of her family had been there to make inquiries after her. I then referred to the infidelity of her husband, which I understood she had mentioned. I believe I used the word delusion to her, and she said it was no delusion, that it was a fact, as she could prove by witnesses. I now recollect that she did mention her husband, because she brought up the charge by saying that she could prove it by the nurses who attended upon him, for that he put his hands down their bosoms. — Q. Will you proceed? A. I said I understood she had made use of very bad language, and she admitted the fact. She said that she was of an irritable, to use her own term, temper; and she added it was done under great provocation, but she was sorry for having done so. — Q. That was the language she had used? A. Yes; she had spoken of her husband being a very irritable man, which led to my putting some questions to her respecting a hot poker which I had heard mentioned at the former inquiry. I was induced to put those questions, having made minutes of them at the time. — Q. You referred to the use of a hot poker? A. She said it was perfectly true that he had made an attack upon her, and that the police were called in, and that they would be produced before the Commissioner. — Q. That he had made an attack upon her with a hot poker, did she say? A. Yes; I think those were her words. I remained about an hour and three quarters with her on each occasion. — Q. Did you refer to any other delusion at that time? A. I do not recollect anything particular that passed regarding that. — Q. You remained an hour and three quarters? A. At each visit, I think. — Q. Had you conversations on other subjects than this to which you referred? A. Yes; there was a general conversation. I did not dwell particularly, but previously to leaving, I thought it necessary to put these questions. — Q. Upon the occasion of that first visit, did you form any opinion as to the state of her mind? A. Yes; I thought from what I had heard that I should wish to visit her again, because I am quite aware on visiting patients, it is sometimes impossible at one interview to arrive at any conclusion. — Q. Before coming to any decided opinion you had a wish to see her again? A. I did. I told her I should see her in two or three days. — Q. Do you recollect whether this first interview you had was during a period of some days over which the commission had adjourned? This was after the commission had been adjourned in the interval you saw her again? A. I saw her on the 18th,

two days afterwards. — Q. Will you state what occurred on that interview? A. She received me as before. She was very agreeable and ladylike. I think I told her I had omitted in my first inquiry, to speak with respect to her fondness for dumb animals, alluding to the cats and pigeons. She said it was perfectly true that she was fond of dumb animals, cats, and that she also kept pigeons. But I said, I am informed that you kept them shut up in the room and the windows closed. And she said, "why, I had just removed to a new residence, and I was afraid my pigeons would fly away, and that was why I kept the windows closed." I do not know whether she had removed or not, but that was her reply. She said, "is there anything extraordinary in my keeping cats or pigeons?" I said, "certainly I did not think so." I then tested her numerical powers by setting her two sums. I thought it was in division, but I find from minutes on each interview of what passed, and I find they were two sums in addition. — Q. Did you see anything that occurred on the part of Mrs. Cumming during the progress of the commission, to change the opinion you had formed and expressed in your report? A. Nothing; on the contrary to confirm it.

Mr. JAMES. — Have you any objection to take your report on oath, of what you saw, to the conclusions on which you arrive? A. No. I made minutes of each interview, and drew my report immediately. — Q. On the third day of your seeing her, that was the 15th, I believe? A. The third day. I cannot speak correctly as to the date. It was the Saturday following the 18th. — Q. On that occasion did she manifest some irritability of temper when you saw her. A. She did. I was shown up stairs in the drawing-room, and she came up very much agitated and excited. I asked her the cause of it, and I think she said, that she first saw me crossing the garden or grounds, and the door which was on the right being open she saw me go by, and observed to the matron that she was wanted; that the matron said it was not the case, but that it was a gentleman for some other patient; she said that she was fearful that the medical gentlemen who were about visiting her were about to be denied, as her friends previously had been, which was the cause of her being so much excited. She was very much excited, and trembled a great deal upon the occasion. — Q. Under these circumstances, did the excitement in which you found her, strike you as being unnatural? A. No. — Q. Did she argue upon the matter, and give you a reason? A. She said that her friends had previously been denied access to her, and that she was fearful the same thing was about being adopted. — Q. Did you upon that occasion allude to her alleged uncleanly habits? A. I did so. — Q. What answer or explanation did she give you? A. She denied them in strong terms, in fact, almost refused to answer them. I told her that I had heard it from a gentleman who was at the head of the asylum, whom I previously knew, and who, I ought to have stated, stopped me on my second visit going down stairs; he met me with his case-book in his hand; it was Dr. Millengen, and he called me aside. I repeated to her at the third interview what Dr. Millengen had said as regarded a white cambric pocket handkerchief; she denied it most solemnly, and said she had every convenience she could wish for, and was it likely that she should have indulged in such filthy habits. — Q. Did you see her afterwards in the asylum? A. Not after that. — Q. You saw her at the Horns' Tavern? A. I did. — Q. Now, I will ask you again, the result of these interviews in your mind as to her state of mind? A. I considered her in a perfectly sound state of mind after the explanations she had given me on the matters which I considered it my duty to touch upon. — Q. Did you see her again on the 27th December, 1851? A. I did; but I saw nothing of Mrs. Cumming, or of her solicitor, or of any of her family whatever, until about a fortnight since. — Q. You had not seen her in the interval at all? A. No. — Q. Nor any of the parties connected with her? A. None whatever. — Q. How long were you with her on that occasion? A. About three-quarters of an hour, I should think, to an hour. — Q. What conversation had you with her on your first introduction? — A. I said I was very sorry to be obliged to visit her on the unpleasant affair of the previous inquiry, and I believe I said, "I am glad to see you look so well, ma'am," and she said, "Well, you do not know what I have gone through." I think that was her expression. I must state to you that at this interview Mr. Haynes was present. Mr. Haynes went with me, and introduced me. — Q. What conversation had you with her? A. On Mr. Haynes introducing me, he said, "Do you recollect this gentleman?" and she stopped for a few moments and did not recollect me, and he said, "This is Mr. Simpson," and she said, "Oh

I remember, you visited me at York House Asylum." — Q. Will you proceed? A. She stated that she had gone through a great deal during the six years—that her family had not left her alone. She said she had been persecuted by them; that she had two chancery suits brought against her, and had been indicted for perjury, and had been brought from her residence in Brighton, by railroad, to which she said she had a great objection. "In fact," she says, "I am now considered a lunatic, for that female who showed you upstairs is my keeper. That is a nurse," I think she said, "appointed by the Lord Chancellor." There was a general conversation kept up. I asked her as to her state of health—what it had been. I remarked that one of her eyes was very much inflamed—that she laboured under chronic ophthalmia; and I think she said it was of some standing; and I was about writing a prescription, but she said Dr. Caldwell was in attendance upon her, and of course I did not interfere; and I said, "I remember our having a long conversation respecting the cats and pigeons," and she laughed, and said, "Yes; I remember it very well." — Q. Did you allude to the previous conversation at York House? A. Yes, I was alluding to that. — Q. Did she laugh? A. She laughed. She complained bitterly of having been persecuted; that seemed to be her principal cause of complaint to me. On leaving her, I explained to Mr. Haynes that on my next interview I should wish to see her alone, and he said, "Certainly." — Q. Was there any other conversation on this occasion on general subjects that you have any recollection of? A. Not that I can recollect. I think she spoke of her daughter on this occasion. She still entertained the same feeling as regarded her children; and I ought to have mentioned, that in the former inquiry she particularly alluded to the marriage of her daughter with a soldier. That was in the first inquiry, and the same feeling seemed to exist in her mind as regarded her family. — Q. Did you attend her upon the occasion when an appointment was made for your seeing her again? A. I did. — Q. When was that? A. On Monday, the 29th. — Q. Of December? A. Of December, 1851. — Q. What time of the day did you visit her on that occasion? A. I had made an appointment for one o'clock with the footman or groom in attendance, and when I arrived, I found two other medical gentlemen were in attendance upon her, Dr. Diamond and Mr. Davey. — Q. Did you wait until those gentlemen had left her? A. I waited about an hour, and rang the bell for the servant, saying my appointment was for one o'clock, and that I had been in attendance an hour, and to know whether they would be there long, and I think they left almost immediately afterwards. — Q. Did you upon that proceed to Mrs. Cumming's room? A. I did. — Q. Was anybody in the room with you? A. There was a lady sitting there, who I have since ascertained is a Mrs. Moore, who came out of court yesterday; she said she was the widow, at the time, of a medical man. — Q. In what state did you find her when you got into the room? A. I was very much surprised to find her so perfectly calm and collected, and in good humour, for she laughed on entering, and said, "Well, upon my word, I think you doctors will drive me mad." I think those were her words. — Q. Did she recognise you? A. Yes. She begged I would be seated; and she was either at lunch or dinner. There was some rampsteak, I think, on the table, and I begged her to proceed with her dinner; and she said, "No, she had quite dinner enough; that the other gentlemen wished her to go on with her dinner, but that she could not eat anything more." Our conversation principally was upon the questions she related to me of what they had asked her. She said, Dr. Diamond she knew before, but the other gentleman she did not, Dr. Davey. She said that doctor had put questions to her, and wished her to recollect the dates when she was taken to the asylum, and she said, "I knew very well that those gentlemen would bring everything against me, and I said to them, 'I would not be fixed to a date, but I will answer it there, when in the presence of the judge and the jury, as the inquiry will soon take place.'" That Dr. Diamond was very anxious that she should see her daughter, Mrs. Ince, and asked her if she would see her; that Mrs. Ince was very much concerned about her, and would like to see her; and she said, "Certainly not." She said Dr. Diamond remarked to her, "I do not think you seem well to-day, Mrs. Cumming, for you are not so communicative on this occasion as when I last saw you." — Q. Did she say what her answers had been? A. She said, "Yes, I am quite well;" but she said, "I was aware that they were sent by my family, and I wished to be particular and upright in everything I said." — Q. Did you speak to her on this occasion with reference to her alleged delu-

sions? A. I do not think I did. I think it was on the former inquiry. I cannot recollect whether I did at this time. The conversation I had with her was principally her telling me what had transpired between those medical gentlemen and herself. — Q. Did you, on the first occasion at the Queen's Road, have conversation with her with reference to her alleged delusions? A. I did. — Q. Did you speak to her about the allegation that she had been endeavoured to be poisoned by her children? A. No, she never mentioned that circumstance to me from the commencement, and never once alluded to it. She spoke of persecution, and her aversion to her children. I think she said they had hunted her from place to place; and on one occasion, I cannot say which, she said, "It is my money they want, and if they would only wait sufficiently long, they should have it;" or something to that purpose, if they would only wait a sufficient time. — Q. What was the length of the conversation you had with her on this second interview? A. Three-quarters of an hour, it might be an hour. She stated that those medical gentlemen repeatedly said, "Why, Mrs. Cumming we cannot make anything of you to-day; as it appears clearly to us, that you would rather see our backs than our faces;" to which she replied, "It would be very unalike in me to express such an opinion, whatever I may think." Upon which, she said, they left the room. — Q. On the occasion of either of those interviews was there any reference made to her entertaining the idea that her daughters had endeavoured to strangle her? A. None whatever. — Q. Did you not refer to it yourself, nor did she? A. I did not, nor at the asylum either. — Q. Have you seen her since then? A. I saw her in court the other day twice. — Q. Have you observed any change in her person since you saw her in 1846? A. I was not aware that she was so helpless as I saw her when she was brought into court. When I saw her in 1846, she walked up and down stairs the same as any other person. — Q. From the opportunities you have had of forming an opinion of the state of her mind, are you of opinion that she is of sound mind? A. Certainly. — Q. Perfectly sound? A. I consider her of perfectly sound mind. — Q. Have you seen anything in her to indicate the existence of any delusion at all? A. I think without explanation they might be called delusions; but I think from what she has stated, and what I have since ascertained of the facts, I do not consider them delusions.

Cross-examined by Sir F. THESIGER. — Q. Without explanations, you say they might be considered delusions? A. Without explanation. — Q. Did you not desire to see Mrs. Cumming without the presence of Mrs. Moore? A. She was sitting in the room. I was not aware she was there till I was shown in; and I think I said at the time, "Who is this lady?" and I do not know whether it was Mrs. Cumming or the lady herself who said, "I am a friend of Mrs. Cumming, and I have permission to visit her." — Q. But you did not ask anything about her daughter having attempted to murder her, or poison her, or strangle her. A. No, I did not. — Q. Did you on any occasion? A. Never; for I was not aware of the fact. — Q. Did you ask her anything upon the subject of the milk being poisoned? A. Oh, yes, I remember that very well. — Q. On which of the occasions? A. I think it was on the first occasion. — Q. When Mr. Haynes was there? A. Yes; she said that her fowls, I think, not pigeons—that her fowls had been poisoned—that there had been poison put. — Q. Did she say where? A. No, she hinted. She said something that an attempt had been made to poison her—that her fowls had died. — Q. That an attempt had been made to poison—that her fowls had died? A. Yes. — Q. You did not mention that? A. No; your mentioning the circumstances reminded me of it. — Q. You remember that? A. Yes, that was the first time. — Q. How came she to mention it? Did you put in a question to her about it? A. No; I was asking her how her general health had been, and relating circumstances connected with her family, and she said, "I have been attempted to be poisoned, as I can prove," I think she said; and I think she mentioned Dr. Barne's name: she did, for she said it was analyzed, and poison was ascertained to exist. I remember her particularly stating that. — Q. That you had forgotten entirely before? A. I did not know that it had been analyzed, or any thing concerning it. — Q. I want to know whether you agree that it has been observed by every medical person who has the care of lunatics—"do they sometimes acquire the habit of concealing their impressions, particularly if frequently questioned respecting them,"

and that it requires some art and address to bring them to the subject without putting them on their guard? A. I do agree in that opinion. I think I state so in my report. — Q. I understood you that, in the preceding inquiry in 1846, it had been going on for some time before you were called in at all. A. It might, perhaps, have been going on. I was present on two or three days, and then I was requested to visit her at the asylum during the adjournment. — Q. Was Mrs. Cumming present during those three days? A. I think every day I was there; and I was really astonished at the manner in which she conducted herself. — Q. She heard the different points that were alleged? A. She did, and I made dates and memorandums of circumstances that had occurred, and examined her on those at the asylum. — Q. She knew the grounds which were alleged to establish her insanity or unsoundness of mind? A. She did. — Q. And she knew perfectly well that the inquiry was going on as to her state of mind? A. She did.

Re-examined by Mr. JAMES.—I do not know whether you heard the medical evidence on the other side? A. I have. — Q. Has there been from their evidence any concealment by the lady of her delusions.

Sir FREDERICK THESIGER.—I do not know that my friend is at liberty to ask him to form an opinion upon the evidence which has been given.

Mr. JAMES.—No, you are right. — Q. Have you, on her part, noticed any studied concealment of any delusion? A. Never. I have always found her most ready to give any answer. — Q. You have been asked if you arrive at conclusions without an explanation of the facts. If a person told you there had been an attempt made to poison her, and alluded to the fact of an analysis being made, should you not inquire into those facts before you arrived at conclusion whether it was a delusion or not? A. Most certainly. — Q. Now, although my learned friend cited from some book—

Sir FREDERICK THESIGER.—Dr. Pritchard.

Mr. JAMES.—That insane persons can and do frequently conceal their delusions, is it not also a fact of disease of the mind, that where delusions exist they are constantly haunting the mind, and constantly a subject of conversation? A. Yes, constantly. — Q. I believe in 1846, a delusion, or one of the delusions alleged, was perversion of affection towards her children, and one of the main grounds? A. It was so. — Q. We know now that Dr. Barnes and the poison occurred subsequently to 1846. A. I am aware of that. — Q. Was there any allusion at all of any attempt to poison her before these facts occurred? A. There never was any allusion made to it.

Mr. JAMES.—I find that a question arose yesterday with reference to the identity of Captain Cumming, as the party upon whom the order of affiliation was made, and his notice was put in, and I now propose to prove that the signature to the notice is in the handwriting of Captain Cumming.

Mr. Farrar re-called.

By Mr. JAMES.—To the best of your belief is that Captain Cumming's handwriting? (handing to the witness the notice of appeal.) A. It is.

Mr. JAMES.—It is a notice of appeal, dated the 4th of October, 1822, against the order of affiliation.

A JURYMEN.—That is thirty-five years ago?

Mr. JAMES.—Yes, sir.

A JURYMEN.—That we have nothing to do with.

Mr. JAMES.—Pardon me, sir; some gentlemen of the jury may consider it material, and some may not. When we produced this paper yesterday, there was an objection raised by my friend, Sir Frederick Thesiger, that there was no evidence of identity—it is for the jury, by-and-by, to say whether this evidence is relevant or not. It appeared to us, as the objection was made, to prove that Captain Cumming was really the party named.

Henry Swan Caldwell, Esq., M.D., examined by Mr. JAMES.—Q. I believe you reside at North Addington-place, Camberwell? A. Yes. — Q. I believe you are not a member of the College of Physicians? A. Not of the London college. — Q. Have you graduated at any foreign university? A. I graduated at the University of Paris and of Glasgow. — Q. Have you been in practice for many years? A. I have been twenty-one years in Camberwell and

practised previously at Paris. — Q. When were you called in on the first occasion to see Mrs. Cumming? A. On the 12th of May, 1847. — Q. Where did you then see her? A. At Mrs. Hutchison's, at Vauxhall. — Q. Was she then on a visit at Mrs. Hutchison's, or residing there? A. On a visit there. — Q. What did you attend her for? A. For an affection of the stomach. — Q. How long did you attend her then? A. I attended her till the 4th of June. — Q. Did you see her frequently at that period? A. I saw her every day. — Q. Did you know at that time, when you were first called in, that she was the lady whose mind had been the subject of inquiry and the commission of 1846? A. I did not till after a few days. — Q. I need scarcely ask you, if you directed your attention more particularly than you otherwise might have done to her state of mind and conduct generally? A. She appeared then, very unwell and rather depressed. — Q. Was it the fact that, from having heard that her mind had been the subject of investigation, your attention was more directed to her position and conduct than to any other? A. Yes, it was. — Q. Did anything strike you—I will not go into detail here—did anything strike you as strange or remarkable about her conduct at that time? A. Not in her conduct; nothing in her conduct. — Q. In her manner was there anything; what sort of person did you find her to be? A. She seemed rather depressed in spirit as well as infirm in her body. — Q. When did you again attend her? A. I attended her at Camberwell, Clifton-place, Camberwell, from the 4th June to July 16th. — Q. What for, then? A. She had not perfectly recovered of her complaint for which I attended her at Vauxhall. — Q. Did you attend her every day? A. Mostly every day, and sometimes every other day. — Q. When again did you attend her? A. At St. John's Wood, from August 1st to December 17th. — Q. What year; the same year 1847? A. The same year. — Q. What was she suffering from then? A. She had various complaints—an inflamed eye, which she had suffered from for a long time, and defective appetite. — Q. Was that at the Queen's-road, St. John's Wood? A. Yes. — Q. When did you attend her again, that carries it up to December, 1847? A. From January 3rd to February 28th, 1848. — Q. When again? A. From March 27th to August 21st, 1849.

A JURYMAN.—Q. Just previous to her going to Wales? A. The next day she went to Wales.

Mr. JAMES.—Q. When did you attend her again? A. At Cheltenham, Marsh 22nd and 23rd. — Q. Was she *en route* then from Wales to London? A. Yes. — Q. When again? A. At St. John's Wood, April 16th. — Q. Was that at the Queen's-road, where she is now? A. Yes; from April 16th to January 2nd, 1851. — Q. Does that embrace any part of the periods of Eleanor Hickey and Mary Rainey being the servants there? A. I believe they were there. I do not remember Hickey, but I remember Mary Rainey being there. — Q. You remember her very well? A. Yes. — Q. Do you remember the woman Hickey? A. I scarcely remember her, but I remember the children that appeared here. — Q. That is Mary Ann Hickey and Ellen Thompson? A. I remember having seen children there, without knowing who they were. — Q. But they are the same children? A. The same children. — Q. While Mary Rainey was there, were you in the habit constantly of visiting Mrs. Cumming? A. Very frequently; three or four times a week sometimes. — Q. Do you remember the partiality of Mrs. Cumming for her cats? A. Yes, I do. — Q. Were you in the habit two or three times a week of being in her bed-room? A. Yes. — Q. In what state did you find her bed-room? A. It was sometimes close when I went into it from the fresh air. I found the difference as in other bed-rooms. — Q. Was she suffering at that time from inflammation of the eye? A. Yes; and a rheumatic affection. — Q. In what state was the room as to cleanliness from these cats—we have had a description of that? A. It was pretty well. — Q. Was there anything so filthy about it? A. I never saw any filth in Mrs. Cumming's house but once, and that was immediately taken away by the servant. — Q. You mean from cats? A. From cats. — Q. Where was it you saw that? A. That was in the Edgware-road. — Q. What room was that in? A. That was in the sitting-room. — Q. And that was immediately taken away? A. That was immediately taken away. — Q. By whose orders? A. Mrs. Cumming pointed the servant to it, and it was immediately taken away. — Q. Did you see in that room while you were attending her, during the time Mary Rainey was there, heaps of dirt under the bed, or did you smell it?

A. I did not look under the bed. — Q. But you could detect the presence of such filth as that if it was there, could you not? A. I do not imagine that such filth was to be found there. — Q. She left, if I remember rightly, somewhere about the end of January?

Sir. F. THESSIER.—The beginning of February.

Mr. JAMES.—Did you attend to nearly the end of January? A. Herbert Villa comes next. — Q. When did you next attend her? A. January 3rd to February 9th. — Q. We have got to the 2nd January, 1851. Did you resume your attendance, or was there any break? A. No break there. — Q. And how far did your continuous attendance go? You have told us the 2nd of January. Was that broken off then, or did you follow her to her residence? A. I recollect very well that I went to Herbert Villa, expecting, from what she said to me the previous time, that she would be there that day, and I found the coachman waiting there to conduct me to her other residence, that she had not had time to remove. — Q. How far into the year 1851 did you attend her continuously? A. Stamford-street comes next, from February 11th to March 10th. — Q. What is the time of the Edgware-road? A. March the 10th to June 9th.

Mr. JAMES.—Do you go on beyond the 9th of June? A. At Worthing, August the 6th. — Q. Well, were you examined before the Commissioners of Lunacy? A. Yes. — Q. When did you see her again? A. At Effra Hall. — Q. After October that would be? A. On the 9th I went, but they would not allow me to see her. — Q. When did you see her? A. 17th November. — Q. You went to see her, but they refused to allow you? A. On the 9th they did, but on the 17th I saw her. — Q. And when again? A. St. John's Wood, November 12th to January the 1st. — Q. Did you hear the evidence of Mary Rainey? A. Yes, I did. — Q. And of the children as to the dirt and filth? A. I did. — Q. As far as you heard that statement, from what you stated, was that true, or is it exaggerated? A. I thought it very much exaggerated. — Q. Was she labouring under disease, that rendered it impossible that she could prevent a great deal of what they alleged happening? A. Yes; I have spoken to her about threats, from the description given by Mary Rainey, and she alluded to her own infirmity. — Q. Do you believe that many of the things which have been stated occurred involuntarily on her part? A. I do. — Q. You heard their evidence? A. I heard their evidence. — Q. And you say here, on your oath, a great deal of that is exaggerated? A. It is. — Q. I ask you now, do you know, from attending her as a doctor, that she was in that state of bodily infirmity, that filth of this kind would occur involuntarily on her part? A. It was for that very complaint I was attending her. — Q. From what you have seen of her so constantly as you have, and the opinion you have formed, is she, in your opinion, of sound or unsound mind? A. Of sound mind. — Q. Have you heard her express herself strongly about her daughters; her children? A. Frequently. — Q. Without going into the detail of every conversation, in what way generally has she spoken of her children, and their conduct towards her? A. They had used her very ill, by having her confined to a mad-house, and not visiting her there while she was in confinement. — Q. Did she speak to you of the arrest for perjury, that was attempted upon her when she was at Stamford-street? A. Yes, when we gave the certificate that she was not fit to be removed under that arrest. — Q. Did you give a certificate that she was not fit to be removed under that arrest? A. Yes; conjointly with Mr. Johnson, a surgeon, in the Waterloo-road; I saw the bed-room door had been forced. — Q. Was she at that time in a fit state to be taken to a police-office? A. Not at all. — Q. Have you heard her speak about her children? Have you heard her mention the subject of the poisoning and the analysis? A. I never heard about the poisoning all the time I was with her; she never mentioned that to me. — What has she chiefly mentioned about her daughters' conduct? A. What I have just stated. — Q. Where have the cats been generally? A. Sometimes in the bed-room, sometimes on the stairs, sometimes in the garden. — Q. How many have you seen there? A. I once saw four and a kitten. — Q. Did you see anything so extravagant or eccentric in or about the attachment towards them, that struck you as a test of insanity? A. No; I considered it was matter of choice. — Q. She was left very much alone there when she was ill, was she not? A. Very much. — Q. You say you attended before the Commissioners of Lunacy, and was examined? A. Yes. — Q. I

believe a complaint had been made to the Commissioners of Lunacy that Mrs. Cumming was under duress; that she was a person under restraint, and wanted force to go where she pleased? A. Yes.—Q. I believe you gave your evidence to show she was, in fact, able to go where she pleased? A. Yes; I gave my evidence according to all the circumstances I knew about her.—Q. And that, possibly, you know led to a report which has been read here, to say that the Commissioners refused to interfere because they found she was a free agent? A. Yes.

Cross-examined by Sir F. THESIGER.—On the 6th of August I think you visited her at Worthing? A. I did.—Q. Was not there an application to you from this gentleman (pointing to Mr. Turner's clerk) on the 16th of August, and did you not refuse to give any information where she was? A. The first time he called; he called twice. I do not know about the second time. I asked him who he was; whether he was an officer or not.—Q. Did you refuse to tell him where she was? A. Yes, because I thought it very rude for a professional man to behave to another professional man in that way.—Q. You refused to tell him? A. I refused to tell him, and requested him to tell Mr. Turner never to send again.

[Dr. Caldwell was subjected to a long cross-examination, relative to some acceptances he had received from Mrs. Cumming in payment of his bills for professional attendance. We give this *resumé* of a series of questions put to Dr. Caldwell, which had direct bearing upon the question at issue.]

Re-examined by Mr. JAMES.—Did you know at that time that they intended to take her into custody, at Stamford-street, on a charge of perjury? A. I did.—Q. Who was the gentleman who applied to you, is he in the room? A. That is the person (pointing to Mr. Turner's clerk); I asked him who he was, and he said he was an Irishman.—Q. This person called upon you and recommended himself in the first instance, saying, he was an Irishman? A. Yes, and that if I would call on Mr. Turner, at No. 9, Carey-street, Lincoln's-inn, he would tell me all about it.—Q. You are attending her professionally, and do you consider that she is in a precarious state of health? A. She is.—Q. Do you know whether it is the truth, that she does not take the physic you prescribe for her? A. I think there is some truth in that; but not all the truth. I have generally presented it to her myself when I have found that to be the case, and she has taken it.—Q. Have you reason to believe that she takes, to use your own words, either wine or brandy and water, on what is called "the sly"? A. I think she takes each occasionally. I have recommended it to her sometimes, when I have thought it necessary.—Q. You say you got inconsistent accounts from the servants? A. Some have told me that she does take it, and others tell me she does not take it.

Examined by the JURY.—During your visits to this lady, have you had to treat her for delirium tremens? A. No.—Q. And would you consider it necessary she should have a certain quantity of brandy and wine a day? A. Not every day; when occasions require it.

W. H. Hodding, Esq. examined by Mr. JAMES.—Are you a general practitioner in Gloucester-place, Portman-square? A. I am.—Q. How long have you been in practice? A. Twenty-six years.—Q. Do you know Messrs. Birch and Davis, Solicitors, of Newport? A. I do not know Mr. Birch at all; I know Mr. Davis.—Q. Of the same firm? A. Of the same firm.—Q. Do you remember being applied to in May, 1851, to see Mrs. Cumming, with reference to the conveyance of some property to Sir Charles Morgan? A. I do.—Q. At whose request did you see her? A. At Mr. Davis's request.—Q. Upon what object were you to see her? A. To satisfy Mr. Davis that she was sufficiently sound to execute a deed of sale.—Q. A conveyance to Sir Charles Morgan? A. Yes.—Q. Were they the solicitors at that time of Sir Charles Morgan in the purchase? A. Yes.—Q. Where did you see her? A. In the Edgware-road.—Q. At her house? A. No; in apartments there.—Q. Have you got the exact day you saw her? A. No.—Q. What month was it? A. In May, 1851.—Q. What passed when you saw her; what did you say to her to form your judgment? A. I asked her several questions relative to the nature of the property she was about to transfer, and of what property she was possessed, and a great many questions which I considered necessary, and I left her under the impression she was a very competent person to execute a deed; in fact, a very clever person.—Q. You believe she

is a person of cunning, active mind? A. Yes. — Q. Did you leave her under the impression she was competent to execute the deed, and did you complete the purchase? A. Yes. — Q. You never saw her before, I believe? A. I never saw her before, or heard of her. — Q. How long were you with her? A. I should think half an hour. — Q. Have you heard that her mind had been a subject of inquiry in a previous commission? A. I did not hear there had been a previous commission; but I heard from Mr. Davis, there was some doubt as to her mind being perfectly sound. — Q. And that directed your attention particularly to her? A. Exactly. — Q. Have you seen her since? A. I have. — Q. How often have you seen her since? A. I have seen her three times very recently. — Q. Will you give to the Jury the dates when you saw her? A. I think it was the day after Christmas Day of last year. — Q. The 25th of December? A. Yes, about the 30th and 31st, I should think. — Q. I believe you not only reported she was competent to sign the deed, but you attested the deed yourself? A. I did. — Q. Was that deed read over to her? A. Yes. — Q. Did she seem to understand the purport of it? A. Perfectly. — Q. Or you would not have attested it? A. I would not have attested it. — Q. Was the money paid to her? A. The money was handed to her in my presence, and she was about to go, and then I left the room; I thought my business was done. — Q. Did you leave with the belief that, having attested the deed, she thoroughly understood what passed? A. I did. — Q. In your three last interviews with her in December, last year, had you any reason, from your own interview, to alter your opinion? A. Not the least. — Q. Did you talk to her at all about her daughters? A. I spoke to her about this coming commission, and that naturally led to conversation about her daughters; she merely said they had treated her very ill, and I did not think it necessary to pursue the conversation any further. — Q. Is it your opinion that she is a person of sound mind? A. It is quite so.

Cross-examined by Sir FREDERICK THESIGER.—Who did you see in London before you went to Mrs. Cumming in the Edgware-road? A. I was taken by Mr. Davis; he came to my house and fetched me. — Q. Was Mr. Haynes present during the time you mentioned at Mrs. Cumming's? A. He was. — Q. Was anybody else present during that half-hour's examination? A. There was Mr. Davis, myself, and Mr. Haynes, and a gentleman who I understood was a solicitor, but whose name I do not know. — Q. During the half-hour's conversation with her? A. Yes. — Q. Was the deed executed then at the same time after that conversation? A. That was the only time I saw Mrs. Cumming. — Q. You went there with Mr. Haynes? A. No, I did not. — Q. I thought Mr. Haynes had sent to you? A. No; Birch and Davis. — Q. You did not go with Mr. Haynes, but found him there? A. I found him there; and I believe he objected to my being there, as being unnecessary. — Q. You left her counting the money? A. She was just about to do it. — Q. Who did you leave with her? A. Mr. Davis, Mr. Haynes, and this other gentleman, whose name I do not know. — Q. I understand in your three subsequent interviews she began to speak of her daughters behaving ill upon the subject of the present commission, and you did not pursue the inquiry further? A. Exactly.

Mrs. Elizabeth Davis, sworn. Examined by Mr. JAMES.—Where do you reside? A. At 27, Deane-street, Commercial-road East. — Q. Were you at one time, in May, 1846, matron of the York House Asylum? A. I was. — Q. Where Mrs. Cumming was confined? A. I was. — Q. That was kept at the time by Dr. Millengen? A. It was. — Q. Did you read in the newspapers on Saturday last this investigation that was going on? A. I did yesterday. — Q. In consequence of reading the inquiry in the "Times" newspaper, what steps did you take? did you go to find out the counsel or the attorneys? A. I commissioned my son to do so. — Q. Do you remember Mrs. Cumming coming to the York House Asylum? A. I do. — Q. How was she brought there? A. By two nurses. — Q. Do you remember whether she had any strait-waistcoat put upon her? A. Yes. — Q. Were you there when she was brought to the house? A. I was there when she was brought in the house, but I did not see her till she was brought in the parlour. — Q. When you saw her, had she a strait-waistcoat on her? A. No; but she informed me she had had. — Q. What did Mrs. Cumming tell you when you first saw her in the parlour of the York House Asylum? A. That she had been very

unkindly treated; roughly treated by the nurses who took her. — Q. And did she tell you anything about a strait-waistcoat? A. Yes, that she had had the strait-waistcoat put upon her. — Q. I believe you left the asylum early in August, before the commission? A. I did. — Q. From the time that she was brought in May up to August, a period of about four months? A. I left before August. — Q. When did you leave? A. In July. — Q. Was she there about five months? A. I think about that time, I cannot say to a day or a week. — Q. Did you attend upon her as matron? A. I was the ladies' superintendent for the comfort of the house, not in any particular position. — Q. Had you many conversations with her during the time you were there? A. I was with her daily, and at every meal. — Q. Did you ever see any violence upon her part which would require a strait-waistcoat to be put upon her? A. Oh, dear no. — Q. What was her conduct, so far as you observed it while she was there? A. That of a highly respectable lady. She conducted herself with great propriety, I considered. — Q. Did you form any impression as to whether she was of sound or unsound mind? — A. I think she was of stronger mind than I am myself. — Q. Did you form your impression from her conduct? A. Yes; considering her years, I think she was of very sound understanding. — Q. Did she complain to you of the conduct of her daughters? A. She lamented their cruel treatment to her in tears many times. — Q. While she was there, did any of the daughters or her family come to see her, to your knowledge? A. I am not sure whether it was Mrs. Ince, but I think Mrs. Ince came on one instance. I think I saw her; I did not know whether it was Mrs. Ince or the other daughter, but it was one of them. — Q. Did either of them come upon more than one occasion? A. No; not that I know of. — Q. Do you remember whether the death of her husband was told while she was in the asylum, or not? A. I think it was communicated. — Q. By whom? A. By Dr. Millengen, I think. — Q. What were her habits as to cleanliness at the time she was there? A. She was more than cleanly, she was a nice lady. — Q. You saw her every day? A. Yes. — Q. At every meal? A. Yes. — Q. Did she take her meals with you? A. Yes. — Q. At what time did you form an impression in your mind as to whether she was of sound or unsound mind? A. It never occurred to me that she was still of unsound mind.

Cross-examined by Sir F. THESIGER.—What age did you consider her to be? A. I thought her between sixty and seventy years old when I knew her. — Q. Because you said considering her age, you do not think between sixty and seventy years of age an advanced age? A. It depends on constitution a good deal. — Q. You say Mrs. Ince or Mrs. Hooper, you do not know which, called once? A. Yes. — Q. Was Mrs. Cumming told of their calling? A. Yes. No, she was at the trial; she was afterwards. — Q. When she was told that her daughter had been, what did she say; did she express a wish to see her or not? A. No, she did not. — Q. Did she express a wish to see her? A. I believe she brought some articles of dress for her, but what they were I do not know.

Re-examined by Mr. JAMES.—Do you remember whether she was told the daughter was there while she was there or not? A. No, she did not know of it. — Q. When she was brought there had she clothes? A. Scarcely anything. — Q. How was she clothed during the four months she was there? A. After a time her wardrobe was sent. — Q. Do you know who sent it or who brought it? A. I think it was sent by the Inces' family, but what part I do not know. — Q. How long was she there without clothes, or comparatively without any clothes? A. Not a week, I should say. — Q. Where were you when the last commission was executed in 1846? You left before the commission? A. I did. I knew nothing of it till it was closed. — Q. Did you read that in the paper? A. No; I was informed of it by some relatives.

Mr. JAMES.—Did you know the commission of 1846 had been executed? A. Not till after the business was terminated.

Examined by the COMMISSIONER.—Did you tell Dr. Millengen your opinion of this lady's state of mind? A. No, I was never asked. — Q. But no person in their right mind ought to be in an asylum? A. But I could not control that. — Q. Were you a matron or superintendent? A. Yes. — Q. Did you express any doubt to Dr. Millengen about it? A. Dr. Millengen seemed so confirmed in his own opinion. — Q. Did you tell him your opinion? A. No.

Forbes Winslow, Esq., M.D., sworn, and examined by Mr. JAMES.—You reside in Albemarle-street, and have directed your attention very much to cases of insanity? A. I have. — Q. I believe you were selected by the Lords Justices to see Mrs. Cumming, and to report to their lordships your opinion of her state of mind? A. I was requested to do so by an order of the Lords Justices. — Q. When did you first see Mrs. Cumming in consequence of that official order? A. I would premise that I was first consulted about Mrs. Cumming on the 29th of October (1851). — Q. Last year? A. Last year. I was requested to go to the asylum at Effra Hall, where Mrs. Cumming was confined, for the purpose of ascertaining her actual condition of mind. I went on the 30th of October, accompanied by Dr. Barnes. On applying I was refused admittance. I understood that the matter was subsequently brought before the Lord Chancellor, and that, with the consent of counsel on both sides, it was arranged that I should have free access to the alleged lunatic. — Q. I believe you were named in the order were you not? A. On that occasion, I believe, there was no official order issued. I was informed that, with consent of counsel on both sides, it was agreed I should have free access to Mrs. Cumming for the purposes of my examination. On the day previously to my visiting her, Mr. Ince called upon me in Albemarle-street, and I had a conversation with him in relation to her case. On the 7th of November I went by myself to Effra Hall.

Mr. JAMES.—Q. When did you first see her? A. On the 7th of November.—Q. Were you alone with her, or with any other person? A. I was alone with her. Perhaps I may observe, that I met on that occasion at the asylum two of the Commissioners in Lunacy, who were paying Mrs. Cumming an official visit, and at their request I had a conversation with them in relation to the case. I felt an anxiety to make myself acquainted with all the facts of the case before my interview with her took place.—Q. You saw her officially? A. *Quasi* officially. I had an hour and a quarter's interview with her. — Q. Just state shortly to the Jury what passed? A. I observed that I had come to see her for the purpose of ascertaining her condition of mind and competency to manage herself and her property. I expressed a wish that she would communicate to me, without reserve, anything she had to say. She expressed a pleasure at seeing me; said that she presumed my visit was of a friendly character. In her unhappy situation, she was glad to see any one who at all appeared friendly disposed towards her. I asked her how long she had been at Effra Hall, and where she had come from? She replied, she was brought to London from Brighton to the asylum; that she had been there nearly a week. She then described to me what she alleged to be a very great outrage upon the liberty of her person; told me the police had broken into her private apartments at Brighton; that she had been subjected to several examinations; and that she had been forcibly dragged out of her house to the railway station, and brought up to London. She said that it was done by the advice and with the knowledge of her own family, of whose conduct she greatly complained. She observed, that it was not the first time that they had treated her in that brutal way. I said, are you not taking rather a harsh view of the conduct of your children? are there not other parties implicated in this matter? they may not be so bad as you appear to fancy them. She replied, that she was certain that her children were implicated in the transaction; that they had behaved, on various occasions, cruelly and unnaturally towards her; that they had made other attempts to deprive her of her property and her liberty. — Q. Did she allude, in the course of this conversation, to the previous commission in lunacy, and the proceedings in 1846? A. She referred to that circumstance in all the interviews I had with her. I am now merely generalizing what she said. I had an interview with her again upon the 8th November. She then went over the same ground in almost the same words. She complained of the irritation and anxiety to which she was subjected by being confined in an asylum, and of labouring under considerable bodily infirmity. She said that her health was declining; that she could obtain no sleep at night; that she had not slept for one hour during the time she had been in the asylum; prayed that I would intercede on her behalf, and obtain her release. She said, if she could be removed to her own residence, in St. John's Wood, she would be willing to submit to any number of examinations that were considered necessary for the purpose of satisfying the Lord Chancellor of her state of mind, and her competency to manage herself and her affairs. — Q. She said that? A. She said that she did not wish to shrink from any examination that might be considered necessary under the circumstances. She also remarked that

prejudice would exist against her if she were allowed to remain in the asylum, and were to undergo the necessary number of examinations there. Perhaps I may be allowed to state, that I made, previously to her removal from the asylum, an affidavit in the case, expressing no opinion of mine as to her soundness or unsoundness of mind, but stating that I did not consider that she was in such a condition of mind as to justify her detention in a lunatic asylum.

Sir FREDERICK THESIGER.—That is not evidence.

Dr. Winslow.—I was merely stating that in the affidavit that has been referred to, I gave no opinion of Mrs. Cumming's soundness or unsoundness of mind.

Mr. JAMES.—Is it since then you formed an opinion? A. Yes.—Q. Upon that occasion did you make any inquiry of the nurse whether her statement as to not sleeping was correct? A. I did.—Q. Did the result of that confirm what Mrs. Cumming had told you? A. She confirmed Mrs. Cumming's statement.—Q. On what day did you see her? A. I paid her a series of visits after receiving the order of the Court of Appeal, extending from November 22nd to the day previously to this inquisition, a series of twenty visits in number, after Mrs. Cumming was removed from the asylum to her own residence, at St. John's Wood. I would premise, that I considered it my duty to make myself acquainted, as far as I could, with all the facts of the case, previously to my examination of Mrs. Cumming, with the view of entering upon its consideration in the full possession of all the particulars I could obtain with regard to it. The Lord Chancellor's Secretary of Lunacy forwarded to me a number of affidavits which had been made on both sides for my perusal; I had also interviews with Mr. Turner, the solicitor for the petitioners, with reference to Mrs. Cumming. I also saw the medical men who had been acquainted with her for a number of years, the servants, who knew her habits of life very intimately, and I also had a conversation with Mrs. Moore, who, I have understood, had been acquainted with Mrs. Cumming for a number of years. I had these interviews for the purpose of obtaining, as far as I possibly could, all the facts relating to the past history of Mrs. Cumming's life.—Q. Did you take all the pains you could to ascertain all the antecedents? A. I did.—Q. And I believe you also saw Mr. Ince? A. I also saw Mr. Ince.—Q. What was the substance of the conversation which you had with Mrs. Cumming for the purpose of ascertaining her soundness or unsoundness of mind?

Sir FREDERICK THESIGER.—You read in your opening the whole of Dr. Winslow's report.

Mr. JAMES.—I know I did; but I would rather have this evidence on oath. It will not occupy much time.

Dr. Winslow.—Understanding that Mrs. Cumming had an unnatural antipathy to her children, of course I referred to that point. She became a little excited when I mentioned the name of her children, and complained of their unnatural and cruel conduct towards her. She said that previously to Captain Cumming's death, she had been dragged from her house to an asylum, after being put under restraint.—Q. Did she narrate again to you the circumstances of the commission? A. She referred to the circumstances of her being dragged to the York House Asylum, and being put under restraint while she was in the act of getting into a carriage.—Q. Did she then speak to you on the subject of her antipathy to her children? A. Yes, I attempted to ascertain whether I could not reason her out of that antipathy, and I made some excuses for the family. I said it was the husband's act, that it was legally his, and not the children's. She said, "No, it was done by my children. He was my children's tool. He was an old man, and was bed-ridden, and a willing agent in the hands of his daughters."—Q. Do you remember anything being said about some poison which has been charged here as a delusion. Just tell us what she said to you about that? A. She said that some years ago, she had a suspicion that some extraneous substance was in the milk; that her suspicions had been excited by the fact of some fowls having been found dead, and on giving the cat the milk to drink, the cat refused to drink the milk, and that excited her suspicion as to the existence of some poisonous substance in the milk. I endeavoured to reason her out of that impression, but she said that such was the fact, that she had sent the milk to be analyzed, and that Dr. Barnes had assured her that there was poison in it.—Q. What other statement was made? A. I then said, "You have alleged that Mrs. Ince had attempted to strangle you, and she said, 'Ah! that is one of my delusions.'" Then, I said, perhaps you may be able to give me a satisfactory explanation of the circumstance

referred to, which has led to the impression of your being under a delusion on that point. "One of my delusions?" she said so playfully.

Sir FREDERICK THESSIGER.—Will you fix the date of this?

Dr. Winslow.—On every interview I had with her I referred to these alleged delusions.

Mr. JAMES.—You alluded to these alleged delusions of which we have heard. It is proper to do so when a medical man is endeavouring to ascertain soundness or unsoundness of mind? A. I did, on every occasion. She said, some time back, pending the proceedings which her children had instituted against her, when her mind was very much irritated and annoyed at Mrs. Ince's proceedings, imagining that they were anxious to confine her again in an asylum, and deprive her of the control over her property, her daughter, Mrs. Ince, came to the house, knocked violently at the door and asked if Mrs. Cumming was in. Without waiting to be announced, she rushed up into her room, threw her arms violently about her neck. Mrs. Cumming made an exclamation, "Oh! dear, you have come to strangle me," or "Have you come to strangle me?" Then, I said, you are not under the impression that your daughter in reality intended to commit any act of the kind? She replied that she was very apprehensive at the time, considering the cruel and unnatural conduct of her children. She did not consider that she was safe, and that no doubt she made an exclamation of the kind. She then observed, that it was a foolish observation for her to make, but in reality she did not believe that her daughter contemplated so brutal an outrage; it was an unguarded, foolish expression of hers, which had been seized hold of and adduced as evidence of her insanity. — Q. In these interviews, am I right in stating that these were the three leading delusions which had been alleged against her: aversion to her children, the question of the poisoning, and the attempt on the part of her daughter to strangle her? A. The medical certificates consigning her to the lunatic asylum referred only to these points. — Q. And also in Dr. Monro's and Sir Alexander Morison's report? A. Yes. — Q. I do not put it invidiously at all, but before ascertaining whether an impression on the mind of a person is a delusion or not, is it not essential to ascertain whether there is the existence of any fact which may be a ground of such delusion? A. It is an important preliminary inquiry. — Q. With reference to the antipathy to her children, are you of opinion that it is a delusion under all the circumstances of the case or not? A. Certainly not.

Sir FREDERICK THESSIGER.—But what circumstances?

Dr. Winslow.—Under the circumstances she stated.

Mr. JAMES.—Now, I put it thus: Under the circumstances of the commission; of the subsequent proceedings against her, and the conduct of her children, are you of opinion that that really is a delusion or not. A. Certainly not. — Q. Now, state why not, if you please? A. I think that the course which has been pursued towards Mrs. Cumming, has been such as to justify in her mind a natural antipathy and dislike to her children; an antipathy the existence of which may be compatible with a healthy condition of mind. — Q. In one mind there would be an intensity and feeling more than in another, in regard to the conduct of the children? A. It is dependent on the natural constitution of the mind. — Q. With reference to the question of the poisoning, having ascertained the facts, are you of opinion that that is a delusion or not? A. I do not. I think she had good reason for supposing that there might be some extraneous substance in the milk. Being naturally suspicious, and that element in her character having unfortunately been acted upon for a series of years, by the unhappy circumstances of her life, an exaggerated development was given to it; and as she was informed, after her suspicion was roused, that poison was discovered in the milk, after being subjected to chemical analysis, it was a very reasonable and rational suspicion for her to entertain that it was done so designedly, and this led to the existence of the alleged delusion.

The COMMISSIONER.—She had good reason, being naturally suspicious? A. That feature in her character being operated upon unduly by the unhappy circumstances of her life, gave to the fact referred to, an undue and perhaps exaggerated development. Under these circumstances, it was natural for her to imagine—it was within the range of possibility—that poison might have been introduced into her milk.

Mr. JAMES.—A fowl had been killed? A. A fowl, she said, had been discovered dead in the garden, and that of course gave force to her suspicions. She said most distinctly to me on every occasion, on which I adverted to the topic, that she accused no one of an attempt to poison her. — Q. She said so distinctly? A. Dis-

tinctly, on every occasion on which I adverted to the topic. — Q. Now, with regard to strangling, the other delusion, which over and over again was made a prominent part in this case, you say she stated her impression was removed? A. She said it was a foolish, unguarded expression of hers. — Q. Did the mode in which she stated that to you, argue sanity or insanity in your mind? A. I think the explanation which I offered in regard to the alleged delusion about the poison, admits of an application to the alleged attempt at strangulation. It is possible she might, being under an apprehension that her daughters were ready at any moment to remove her to an asylum, and being an old lady, not very choice and guarded in the use of her expressions, very likely exclaim, "you have come to strangle me!" and perhaps a few minutes afterwards admit the absurdity of the exclamation. When she explained the fact to me, in the manner just stated, she added, it constituted another illustration of the willingness of her children to seize hold of any unguarded expressions she might use, for the purpose of adducing them as evidence of her insanity. I am now giving you the substance of what she said—of course not in her own language. Having read the examination to which the learned Commissioner subjected Mrs. Cumming, on a former commission, and having heard from Mr. Turner that her mind was deluded in reference to some of her grandchildren, I thought I was in duty bound to examine her upon that point. — Q. Did you direct your attention to that point? A. I did. — Q. It would serve to test her memory, if it did nothing else? A. It tested her memory, as well as her sanity. I told her I understood she was under some very erroneous notions with regard to her grandchildren. — Q. Mrs. Ince's children.

Sir F. THESIGER.—Some of her grandchildren? Dr. Winslow.—A. Some of her grandchildren. I said, I had understood she had represented that one was not her grandchild—and that the body of the child had been glazed over after death. She said it was a falsity. I said, "Are you certain that you made no observations that would warrant such a construction?" She replied, it is possible that she might have said it was a handsome-looking corpse, and looked like some of the dolls in the shops in Regent Street; but, beyond that, she was confident she never made any remarks. She might have observed that it was a handsome corpse, and like some of the wax dolls. — Q. You perhaps have seen children—young children, infants, who have died of scarlet fever? A. I have, but not many. — Q. Is there any particular appearance about a child that has died of scarlet fever? A. I think that under these circumstances, the skin has a shiny appearance, from the fact of the disease being a disease of the skin, and the natural exhalation from the surface having been interfered with during the course of the disease. — Q. Does the body of an infant dying from that cause, present a shiny appearance of the skin, being somewhat glazed? A. It does. I have seen it in several instances, and I think it admits of a physiological explanation. — Q. So that the face in the shroud in the coffin would present that shiny, glazed-like appearance. A. To a certain extent it would. — Q. As to her property, did you inquire anything of her? A. I asked her as to her property; she said that it consisted of landed property, household property, situated in Monmouthshire, and her income ranged between 400*l.* and 500*l.* a year. I then asked her some simple questions in arithmetic, apologising for asking questions which might appear very foolish and childish. I asked her the number of shillings in the pound, and other questions, with a view of testing her capacity. I put several questions to her, most of which she replied satisfactorily to; nothing beyond that. I said to her, supposing you were to invest your capital in the purchase of houses, what rate of interest would you expect for such an investment of your property? she replied, that would depend upon the quality of the house. — Q. I believe, without going into it more at length, I may ask this: you took every opportunity within your ability, as a medical man of experience in these matters, to test her as to whether her mind was sound or unsound? A. I did: I never devoted more time or more pains to any case in my life. — Q. She is a person of naturally irritable temperament, is she not? A. So I should imagine. — Q. Is it your opinion that, after all the pains you have taken to ascertain this matter, she is of sound mind? A. Undoubtedly so.

Cross-examined by Sir F. THESIGER.—Labouring under no delusions at all—that is your opinion? A. No delusion that I could discover. — Q. Is it your opinion that a person who labours under any delusion is of sound or unsound mind? A. If a delusion in the proper acceptance of the term is found to exist,

undoubtedly it is evidence of unsoundness of mind. — Q. A belief in the existence of a fact which does not exist, is that, in your opinion, proof of delusion? A. Certainly not. — Q. Suppose, for instance, you entertained the notion that I had endeavoured to murder you, would you consider that a delusion or not? A. Not *per se*. — Q. What do you mean by not *per se*? A. Not taken by itself, and without reference to other circumstances which may have induced that belief in my mind. — Q. Supposing that we had met, and that I had offered you some insult, and that afterwards you had entertained the notion that I had endeavoured to murder you, would that, in your opinion, be a delusion? A. No; it may be a false impression, arising from actual circumstances, and not a delusion in the right signification of the word. — Q. Without any other foundation than that an insult had been offered to you — I put it in that way? A. It is possible that it might be only a false impression. — Q. Is it your opinion that "insanity does not admit of being defined — that it is not in the power of any human being to prescribe within the limits of a definition all the peculiar characteristic symptoms of mental derangement?" A. Such is my recorded opinion. — Q. "The malady assumes so many forms, and exhibits itself in such protean shapes, that it is out of our power to give anything the semblance of a correct or safe definition as could be referred to as a standard in doubtful cases of derangement of the mind?" A. Most undoubtedly. — Q. I think the passage I have just read is contained in a book, entitled the *Plea of Insanity in Criminal Cases*, for which I return my thanks, it having been written some years ago and presented to me by Dr. Forbes Winslow. It is dedicated to Sir Frederick Pollock. I mention this fact, because we shall see Dr. Conolly presently. You have spoken about the poison, and you have said she believed that the milk had been poisoned? A. So she said. — Q. Did you apply to Dr. Barnes upon the subject. A. I did. — Q. Your impression, I believe, was, that Dr. Barnes stated that there was acetate of lead in the milk? A. So I believe. — Q. Do you not know that it was Epsom salts, and not acetate of lead? A. So I have subsequently heard. — Q. Would it make any difference, in your opinion, supposing you were now told that she had been informed it was Epsom salts in the milk, and not acetate of lead, or any other poison? A. At the time she told me that she was informed that there was acetate of lead in the milk. — Q. Pardon me, I am putting a different question to you. My question is this — Supposing you had been aware that she had been informed by Dr. Barnes, and repeatedly informed, that there was Epsom salts in the milk, and not poison of any description, would that change your opinion at all? A. Not to any great extent. — Q. But would it change your opinion to any extent? A. I think the fact of her milk having been drugged might, in a woman with a mind constituted like Mrs. Cumming's, and drugged, too, with a substance which in appearance is very much like oxalic acid, convey to her mind a suspicion that there was some foul play going on. It might tend, in her suspicious mind, to create considerable alarm and apprehension. — Q. But you do not understand me, I think. Supposing she was told by her medical man, upon whom she had the greatest reliance, that there was no poison in the milk at all, but that it was merely Epsom salts, and supposing she afterwards entertained the notion that there had been an attempt to poison her, should you consider that that was a delusion or not? A. No, I should not think it was a delusion in the proper acceptation of the term. — Q. Why not in the proper acceptation of the term? What do you call the proper acceptation of the term? A. I do not think that it was the creation of the mind *de novo*. — Q. A creation *de novo*? What do you mean? — A. It was an idea which followed actual circumstances. It might have been a mere mistake of hers. Having been told that the milk was drugged, she might have had an apprehension that some attempt was made upon her life, and so believe the fact. This is possible, without its justifying the belief, that she was therefore of unsound mind. — Q. I think we are at cross purposes. I am taking for granted that whatever impression was originally made in her mind, that impression was removed by the communication to her, that there was nothing but Epsom salts, which are harmless to a certain extent, and that she, notwithstanding she was told to the contrary by a person on whom she could rely, she still persisted in believing that there was poison in the milk? A. Taking the case in all its circumstances, viewing the natural temperament of Mrs. Cumming, and the peculiar constitution of her mind, and all the prior unhappy circumstances of her life, I should not be at all surprised if she were to misstate and exaggerate actual circumstances, without the notion being the result of a disordered condition of mind. — Q. You think so. A. I do. — Q. Do you mean

to say, that if a person has once entertained a suspicion of a particular fact, and that suspicion is entirely removed from her mind, and the suspicion afterwards recurs, that there is a justification for the suspicion, although her mind had been completely cleared of any such impression for a considerable time? A. I think you cannot form a correct opinion of the matter without reference to all the circumstances of the case. — Q. Then that is your opinion? A. That is my opinion. — Q. Then if at one time she entertained a suspicion, no matter how it may have been removed, the recurrence of that does not prove a delusion? A. If she once entertained the suspicion that poison was infused into her milk, and she was informed that, instead of poison, the milk had been drugged, no matter how innocent the drug might in reality be, it might, in a mind constituted like Mrs. Cumming's, viewing all the prior events of her life, and her constitution of mind, give rise to an impression of poison, which impression could be co-existent with a healthy mind. — Q. With a healthy mind? A. Yes. — Q. Then you consider that a person who has entertained suspicions, which suspicions had been entirely removed, and those suspicions occurring again, may be in a sound and healthy mind? A. A person may be under an erroneous impression, and may arrive at a false result at one period, and to a certain extent it may be justified; that erroneous impression may subsequently occur to the mind from actual circumstances. — Q. May subsequently occur to the mind from actual circumstances? A. Yes. — Q. That is your opinion? A. It is. — Q. I am putting where the impression is entirely removed? A. It is possible even under these circumstances. — Q. And no circumstance recurring to remove the false impression. Yet that impression recurring, and recurring with great strength, so as to induce the belief that a great crime has been committed, do you consider that that is explicable upon the ground of the previous circumstances and character of the party? A. I think you cannot arrive at a right result without viewing the case of Mrs. Cumming in all its circumstances. — Q. I am not asking you as to the case of Mrs. Cumming? A. Supposing an impression to have once existed, and for the party to have been undeceived, I can imagine that there would be a recurrence under peculiar circumstances of the false impression, such recurrence being consistent with the existence of a healthy state of mind; the impression need not necessarily be a delusive one. — Q. Then I suppose when once an erroneous impression is entertained, that erroneous impression depending on slight circumstances we will say, but still an erroneous impression, when once that erroneous impression is entertained, its constant recurrence does not indicate any unsoundness of mind at all? A. Erroneous impressions are often entertained by very healthy vigorous minds. — Q. But an erroneous impression from slight circumstances, which impression is entirely removed? A. I will illustrate what I mean. Take the case of A, B, and C, as I am not permitted to mention Mrs. Cumming's case—take the case of a person under a belief that certain poisonous ingredients had been infused into an article of diet, prior circumstances naturally exciting suspicion in the party's mind, and an apprehension that something of the kind might occur, it is possible under those circumstances for the person to believe when so informed that he was under a false impression as to the fact with reference to the poison. Subsequent circumstances might, however, occur with regard to the same individual, which would revive the previous false impression. The party might argue, and argue reasonably, "I was under such an impression at a certain period. I was subsequently told it was a false impression." Circumstances have since occurred which certainly do convince my mind that it is within the range of possibility that the thing might have actually occurred. Under these circumstances, the party might believe in the existence of the fact, that belief being consistent with the presence of soundness of mind. — Q. You have put the case where the impression continued, and where there are fresh circumstances. I put the case where there are no fresh circumstances to revive the impression, that impression reviving to the extent of supposing that persons were prepared to poison her. A. No, I do not think, even in the hypothetical case which you have suggested, that under those circumstances we should be justified in believing the impression to be necessarily a disordered creation of the mind. — Q. Now, I will put another case to you. Supposing a person had employed an attorney, and has confided her interests entirely to him—that that attorney had been in the habit of receiving money, and of attending from time to time, and performing the part of a faithful agent, and

that the principal was aware of the faithful performance of duty by the agent. Supposing, without any new circumstances occurring, she was at a subsequent time to entertain the impression that the agent had robbed her of her money; that he had robbed her of everything she possessed, and left her penniless, and that he had never rendered her any account at all, should you be of opinion that that indicated a sound or an unsound state of mind? A. Those notions, I think, are consistent with soundness of mind, particularly if occurring to a person naturally of suspicious temperament.—Q. In a suspicious mind? A. Yes.—Q. But observe, this suspicious mind has been confiding for a considerable time, and relying confidently upon the party, and then suddenly, and without any reason at all, turns round, and charges that party with having robbed and plundered her, with having rendered no account, and having enriched himself by the spoils of her fortune? A. That shows great caprice, but it is possible that such a feeling might exist apart from insanity.—Q. Is that a “creation *de novo*,” in your judgment? A. Certainly not.—Q. That is not a “creation *de novo*?” A. No; it is an idea arising out of actual circumstances.—Q. I put my case guardedly. I put this case. The utmost confidence is expressed from day to day, and manifested in every possible way; then there is suddenly a new idea started up that the party so trusted had been false in every respect, had plundered and left the person penniless, and was revelling in the spoils of that fortune. A. That would show great caprice and an ill-regulated mind, and a mind suspicious without reasonable foundation.—Q. Then you will tell me what you mean by a “creation *de novo*.” A. An impression or notion arising in the mind apart from the actual circumstances of life.—Q. That is from the existing circumstances of life? A. From the existing circumstances of life.—Q. That is your “creation *de novo*?” A. Yes, and it is, to a certain extent, a scientific test of delusive impressions.—Q. Now I will put this case. Suppose he had faithfully rendered an account, and money had been paid over, and a belief had been entertained that no accounts at all had been rendered and that no money at all had been paid? A. The impression may have resulted from a mere failure of memory.—Q. Do you suppose that such a person would be competent to the management of his affairs? A. That incompetency, if the incompetency existed, might be the result of advanced age, or from careless habits of business, or from a natural indisposition to attend to the ordinary business matters of life. It need not necessarily be an incapacity arising from unsoundness of mind.—Q. But I put the case of a person. A. I think it is possible that such a condition might exist apart from actual insanity or unsoundness of mind.—Q. Apart from a capacity to manage the affairs of life? A. No; I draw a distinction between the incapacity and natural decay, which is, in many cases, the inevitable result of old age, and the incapacity which is clearly the offspring of insanity.—Q. But I am putting it to you now—do not vary the ground. I put a distinct question, whether such a person as I have described would, in your discreet judgment, be competent to the management of his affairs? A. In the proper acceptation of the term, such an amount of incapacity would not necessarily indicate unsoundness of mind or legal incompetency to manage the business affairs of life.—Q. Would such a person be competent to the management of his affairs? A. *Legally* speaking, certainly.—Q. *Actually* speaking would he? A. There are many sane persons who are incapable of managing their affairs and who leave all their business matters to their solicitors.—Q. You are running away from my question. I have put a particular case to you, which is clear and distinct. I have put the case of a person who had received from his attorneys accounts of monies faithful and true throughout, and then believing that no accounts had been rendered and that no money had been paid. A. I should say that such was a strange, but not necessarily an unsound condition of mind.—Q. Would you consider such a person—a person who had received money and accounts, and yet believed that he had not received the money and had not received the accounts, a person capable of managing his own affairs? A. I should say that such was a strange and unnatural condition of mind, but not necessarily an unsound condition.—Q. I understand in one sense what a natural mind is. A. You may have such an amount of incapacity coexisting and consistent with sanity. That is what I mean.—Q. But I put a particular case to you. Dr. Winslow, I know you are a match for me, but do confine yourself to the case I put. It is a very distinct one—it is this. I ask you, in your

judgment (of course appreciating your character), whether such a person is, in your judgment, competent to the management of his affairs? A. I think the world would say not. — Q. What would you say—do you agree with the world or not? A. I have seen cases of incapacity to the extent referred to by yourself, associated with perfect soundness of mind. — Q. You have told us that the world would have an opinion upon that subject. Do you agree with the world or do you differ from the world? A. I do not bow to the opinion of the world as an authority upon points of abstract science. — Q. Then you look down upon the opinion of the world? A. Certainly not. I consider the question as one of science. When I am asked whether, in a given case, there is an incapacity to manage property, my object is to ascertain whether that incapacity is the necessary result of a *diseased mind* or whether it is a *natural incapacity arising from old age, decay of nature, or from ignorance of the ways of the world and a natural careless indifference to the affairs of life*. That, in my opinion, is the scientific distinction. — Q. I am putting a case in which there can be no doubt about the moneys being paid and the accounts rendered, and in which the party believes that no money has been paid and that no accounts have been rendered, would you require to ascertain all the circumstances respecting a person's mind before you could come to a conclusion whether such a person was capable of managing his affairs or not? A. I think we could not take as a rule an isolated feature in a particular case and draw safe conclusions from it. I should be very loth to say, if a case of great incapacity was established, that that incapacity was necessarily the incapacity of an unsound mind. Many men of mature age and vigour of mind are not of business habits, and are not capable of managing their property. — Q. There are circumstances which do not depend upon business habits at all. I put a plain and palpable case to you. A. I think in the case put by you the circumstances of course would be suspicious, but such an amount of incapacity might coexist with soundness of mind. — Q. Then you are of opinion that the case I have put to you is perfectly consistent with entire soundness of mind? A. It may be so; I have no doubt upon the point. — Q. Now I will take the case of strangling. Suppose there is no truth whatever in the daughter throwing her arms round her mother's neck, or her mother having been at all alarmed by her appearance in the Edgeware-road, should you consider that the absence of those facts would be sufficient to lead you to the conclusion that she was labouring under a delusion when she stated her daughter was going to strangle her? A. If the facts as stated by her were not facts, certainly. — Q. Well, then, you would consider her under a delusion? A. It is possible (admitting the truth of what you say), that her mind might be unsound upon that point. — Q. Did she tell you, at any of these interviews with her, that Mr. Haynes had poisoned her fowls? A. She said she understood that some of her fowls had been poisoned by the order of Mr. Haynes. — Q. It was in allusion to this poisoning of the fowls and of the milk it was in? A. Yes. With reference to the alleged delusions with regard to the poison, perhaps I may be allowed to state that one of my reasons for not considering it to be such at the time was this, that if she had laboured under a delusion that an attempt had been made to poison her, if it had been in reality a delusion—the product of a disordered mind,—and the delusion in question had been persistent up to this period, still having its influence upon her mind, according to my experience, admitting it to have been an insane delusion, it would not have confined itself to an epoch or to an individual, but so terrible would be its influence upon the mind, even at this moment—

Sir F. THESIGER.—Stop, Dr. Winslow, you are giving us a very long speech.

Mr. JAMES.—He is answering your question, and I beg that he may be allowed to finish his answer.

Sir F. THESIGER.—This is no answer to my question—this is something which he volunteers. — Q. I cannot permit you to go on in the way you were doing. I will ask you this question—suppose, for instance, with regard to the strangling, she stated sometimes that it was at one place, and sometimes at another place; should you consider that that was an indication of a delusion? A. No, not of itself, it might arise from a failure of memory. — Q. Although there were no facts to warrant it at all? A. Of course, if there were no facts to warrant the impression, that would be a circumstance justifying the suspicion of unsoundness of mind. Q. Suppose the only fact was the visit of her daughter to her, and she received her daughter with great kindness, should you consider that fact sufficient to warrant an impression

that her daughter had attempted to strangle her? A. Certainly not. — Q. Then I understand it to be your opinion that if a person entertained any belief of a fact which is entirely unfounded, that that is a delusion, and that if the party acts upon that impression, or belief, that indicates unsoundness of mind. A. I did not follow you. — Q. If a person believes in the existence of any particular fact, without any foundation for it, and acts upon the belief of that fact, does, or does it not, indicate unsoundness of mind? A. Not necessarily so.

Re-examined by Mr. JAMES.—You have been asked whether it is not difficult to define insanity: I believe you adhere to the opinion which you have always given—that it is a most difficult thing to define? A. It is undefinable. — Q. It may exist in a thousand forms, may it not? A. Yes; in a thousand forms. — Q. As in the diseases of the body? A. As in the diseases of the body. — Q. Is it a test of insanity to suspect an attorney of cheating you? A. I should be sorry to propagate such an opinion. — Q. Suppose an attorney asserts to a person that he has only received a certain amount of rent, and that he has rendered accounts, and faithful accounts, would it be a test of insanity for a person to suspect that that was not true, although the attorney made that assertion? A. Certainly not. — Q. Are suspicions necessarily delusions? A. They are not. — Q. Is a jealous person, for instance, a person of unsound mind—a person who suspects his wife without cause? A. Such a suspicion may co-exist with perfect soundness of mind. — Q. Extreme jealousy of a most virtuous wife may co-exist with perfect soundness of mind? A. It does sometimes. — Q. And suspicion? A. And suspicion. — Q. Now, with reference to these three delusions, I will take first, the strangling; has she not stated that fact to you, of the strangling, without stating also the concomitant circumstances at the interview from which she derived the impression? A. Never.

Sir F. THESSIGER.—Will you have the goodness to ask Dr. Winalow the last time he saw her.

Mr. JAMES.—When was the last time you saw her?—A. On the 6th of this month; the day before the inquisition. — Q. Has she ever stated to you the fact of this strangling, without stating to you the concomitant circumstances which induced the belief in her mind? A. She never did. — Q. Did she ever state to you the fact of the poison without also stating the concomitant circumstances attending it? A. Never. — Q. You have been asked by my learned friend, Sir F. Thesiger, as to the discovery of Epsom salts in the milk, and of acetate of lead being found. That occurred at the same time that a fowl was found dead.

Sir F. THESSIGER.—There is not any proof of that whatever.

Mr. JAMES.—You will allow me to put it hypothetically. Q. My learned friend put to you the case of the Epsom salts in the milk, only assuming it to be the fact that a fowl was poisoned, and that deadly poison was found in a paper in a fowl-house; that occurring at the same time that the milk was found to be drugged, though with a harmless drug, does that justify her forming the opinion which she expressed? A. I think it would. — Q. Must not the impression on her mind be taken with all the circumstances attending it? A. With all the circumstances attending it. — Q. And you think that the fowl being found dead, and poison being found in a paper, and contemporaneous dragging of the milk, even by a harmless substance, ought to be taken into consideration in considering the question whether or no she was under a delusion? A. Most certainly. — Q. And I think you say that, upon every occasion when she mentioned the circumstance, she always referred to the facts attending it? A. Yes, she always stated the concomitant circumstances. — Q. Upon giving an answer which was stopped by Sir Frederick Thesiger, but which appeared to me to be a most able and philosophical one, will you have the goodness to repeat now? A. What I wished to explain was this—that if this belief in the poison had been a symptom of a diseased mind, admitting it to be a delusion, and persistent, being still in existence, so terrible is the influence which delusions of this kind exercise over the conduct and actions of insane persons, that within the records of my experience, I have seen no case whatever where it would be confined to one epoch, or to any one or two individuals, but it would influence generally the conduct and character of the patients, and they would continue in the belief that their servants were trying to poison them, and would be suspicious, and perhaps refuse food altogether. I never knew any instance in which that was not the case. If Mrs. Cumming, at this moment, laboured under a delu-

sion of the kind, in all probability, and I may say almost to a certainty, she would decline her food in consequence of her being suspicious that Mrs. Moore, or some of the servants about her, might poison her. — Q. She relates it to you as a fact that had occurred, and not as a present delusion haunting her mind? A. No; she relates it as a fact that had occurred. — Q. Does it not make a great difference in the question whether a person narrates it as a fact that had occurred and as an impression that had existed, although a wrong one—is there not a great distinction between that and a present delusion haunting the mind? A. A most material distinction. If the delusion existed at the time when the poison was alleged to be introduced into the milk, it is quite clear that it does not exist at this moment. — Q. Is it not, therefore, rather the character of an impression, to some extent false, from the facts from which once existed in the mind, than a present delusion haunting the mind? A. Yes. — Q. When she spoke to you of her aversion and antipathy to her children, did she not narrate to you at each time that which had been—whether properly or not—assigned as the cause of that aversion? A. She did. She referred to her having been seized and carried before a magistrate on the charge of perjury; to her having been followed and dodged about by policemen, and to a variety of circumstances in reference to the alleged unnatural conduct of her children, she always coupled these circumstances with the explanation of the impressions which are alleged to be delusions. — Q. To go back from this psychological discussion, is it your opinion, from the best judgment you can form, that she is of sound mind? A. I have no hesitation in saying that in all my experience of doubtful cases of insanity, I never met with, or examined a patient where the result to my mind has been more clear and satisfactory.

Samuel Ashwell, Esq., M.D., sworn, examined by Mr. JAMES.—You are, as we know, a physician, and I believe you are practising in Grafton-street? A. Yes. — Q. You were for many years a lecturer at Guy's Hospital? A. I was. — Q. I believe you have not directed your attention exclusively to cases of insanity? A. No. — Q. Has it occurred to you in the course of your practice to see many cases of insanity? A. Many throughout the course of my practice. — Q. And have you seen in the course of your practice very many cases of female insanity? A. Certainly. — Q. I believe you were requested to see this lady? A. Yes, I was. — Q. When did you see her? You saw her yesterday, I believe? A. Yesterday. — Q. How long were you with her? A. I think nearly an hour. — Q. Did you see her alone? Did you desire to be alone with her? A. I was introduced by Dr. Hale, who immediately left the room, and with the exception of a servant coming in two or three times, I saw her alone. — Q. There was nothing to interfere with her examination? A. Nothing at all. — Q. And you were with her an hour? A. Nearly an hour. — Q. You have heard, I presume, that the chief delusions which have been alleged in this inquiry against her, were an aversion to her children, the fact of her believing there had been an attempt to poison her, and the attempt, or alleged attempt, which she said Mrs. Ince had made to strangle her? A. Yes. — Q. I believe you have read a good deal of the evidence. The case had interested you, I suppose? A. Yes, I had; the case had interested me, and I had read a great deal. — Q. Is the opinion which you are about to give founded entirely upon the examination and your personal interview with her? A. Absolutely. — Q. Did you converse with her? A. Very fully. — Q. As a medical man did you converse on these subjects? A. Very fully. — Q. What topic did you take up first of the alleged delusions? A. I began the conversation by asking her how it was that the delusion or mistake arose about her children; she immediately said there was neither delusion nor mistake, that her feelings in reference to them were the result of their conduct towards her, that there was no delusion in her mind about it. — Q. She said so? A. She said so. She then went through what I suppose I need not detail here, the whole of their conduct towards her. She narrated the whole of their conduct towards her in reference to the commission. — Q. The former commission? A. The former commission—the transaction about the perjury, on which she dwelt most vehemently. — Q. That is her arrest on the charge of perjury? A. Yes, the arrest, and her determination to act as she thought right in the distribution of her property. I alluded to the unfavourable impression it would make if she diverted that property from her natural heirs. She immediately said, "It would be so if I had not good ground for it." Those are her very words. She then said there were other people who did the same, who

that her daughter had attempted to strangle her? A. Certainly not. — Q. Then I understand it to be your opinion that if a person entertained any belief of a fact which is entirely unfounded, that that is a delusion, and that if the party acts upon that impression, or belief, that indicates unsoundness of mind. A. I did not follow you. — Q. If a person believes in the existence of any particular fact, without any foundation for it, and acts upon the belief of that fact, does, or does it not, indicate unsoundness of mind? A. Not necessarily so.

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Mr. JAMES.—You will allow me to put it hypothetically. Q. My learned friend put to you the case of the Epsom salts in the milk, only assuming it to be the fact that a fowl was poisoned, and that deadly poison was found in a paper in a fowl-house; that occurring at the same time that the milk was found to be drugged, though with a harmless drug, does that justify her forming the opinion which she expressed? A. I think it would. — Q. Must not the impression on her mind be taken with all the circumstances attending it? A. With all the circumstances attending it. — Q. And you think that the fowl being found dead, and poison being found in a paper, and contemporaneous dragging of the milk, even by a harmless substance, ought to be taken into consideration in considering the question whether or no she was under a delusion? A. Most certainly. — Q. And I think you say that, upon every occasion when she mentioned the circumstance, she always referred to the facts attending it? A. Yes, she always stated the concomitant circumstances. — Q. Upon giving an answer which was stopped by Sir Frederick Thesiger, but which appeared to me to be a most able and philosophical one, will you have the goodness to repeat now? A. What I wished to explain was this—that if this belief in the poison had been a symptom of a diseased mind, admitting it to be a delusion, and persistent, being still in existence, so terrible is the influence which delusions of this kind exercise over the conduct and actions of insane persons, that within the records of my experience, I have seen no case whatever where it would be confined to one epoch, or to any one or two individuals, but it would influence generally the conduct and character of the patients, and they would continue in the belief that their servants were trying to poison them, and would be suspicious, and perhaps refuse food altogether. I never knew any instance in which that was not the case. If Mrs. Cumming, at this moment, laboured under a delu-

sion of the kind, in all probability, and I may say almost to a certainty, she would decline her food in consequence of her being suspicious that Mrs. Moore, or some of the servants about her, might poison her. — Q. She relates it to you as a fact that had occurred, and not as a present delusion haunting her mind? A. No; she relates it as a fact that had occurred. — Q. Does it not make a great difference in the question whether a person narrates it as a fact that had occurred and as an impression that had existed, although a wrong one—is there not a great distinction between that and a present delusion haunting the mind? A. A most material distinction. If the delusion existed at the time when the poison was alleged to be introduced into the milk, it is quite clear that it does not exist at this moment. — Q. Is it not, therefore, rather the character of an impression, to some extent false, from the facts from which once existed in the mind, than a present delusion haunting the mind? A. Yes. — Q. When she spoke to you of her aversion and antipathy to her children, did she not narrate to you at each time that which had been—whether properly or not—assigned as the cause of that aversion? A. She did. She referred to her having been seized and carried before a magistrate on the charge of perjury; to her having been followed and dodged about by policemen, and to a variety of circumstances in reference to the alleged unnatural conduct of her children, she always coupled these circumstances with the explanation of the impressions which are alleged to be delusions. — Q. To go back from this psychological discussion, is it your opinion, from the best judgment you can form, that she is of sound mind? A. I have no hesitation in saying that in all my experience of doubtful cases of insanity, I never met with, or examined a patient where the result to my mind has been more clear and satisfactory.

Samuel Ashwell, Esq., M.D., sworn, examined by Mr. JAMES.—You are, as we know, a physician, and I believe you are practising in Grafton-street? A. Yes. — Q. You were for many years a lecturer at Guy's Hospital? A. I was. — Q. I believe you have not directed your attention exclusively to cases of insanity? A. No. — Q. Has it occurred to you in the course of your practice to see many cases of insanity? A. Many throughout the course of my practice. — Q. And have you seen in the course of your practice very many cases of female insanity? A. Certainly. — Q. I believe you were requested to see this lady? A. Yes, I was. — Q. When did you see her? You saw her yesterday, I believe? A. Yesterday. — Q. How long were you with her? A. I think nearly an hour. — Q. Did you see her alone? Did you desire to be alone with her? A. I was introduced by Dr. Hale, who immediately left the room, and with the exception of a servant coming in two or three times, I saw her alone. — Q. There was nothing to interfere with her examination? A. Nothing at all. — Q. And you were with her an hour? A. Nearly an hour. — Q. You have heard, I presume, that the chief delusions which have been alleged in this inquiry against her, were an aversion to her children, the fact of her believing there had been an attempt to poison her, and the attempt, or alleged attempt, which she said Mrs. Ince had made to strangle her? A. Yes. — Q. I believe you have read a good deal of the evidence. The case had interested you, I suppose? A. Yes, I had; the case had interested me, and I had read a great deal. — Q. Is the opinion which you are about to give founded entirely upon the examination and your personal interview with her? A. Absolutely. — Q. Did you converse with her? A. Very fully. — Q. As a medical man did you converse on these subjects? A. Very fully. — Q. What topic did you take up first of the alleged delusions? A. I began the conversation by asking her how it was that the delusion or mistake arose about her children; she immediately said there was neither delusion nor mistake, that her feelings in reference to them were the result of their conduct towards her, that there was no delusion in her mind about it. — Q. She said so? A. She said so. She then went through what I suppose I need not detail here, the whole of their conduct towards her. She narrated the whole of their conduct towards her in reference to the commission. — Q. The former commission? A. The former commission—the transaction about the perjury, on which she dwelt most vehemently. — Q. That is her arrest on the charge of perjury? A. Yes, the arrest, and her determination to act as she thought right in the distribution of her property. I alluded to the unfavourable impression it would make if she diverted that property from her natural heirs. She immediately said, "It would be so if I had not good ground for it." Those are her very words. She then said there were other people who did the same, who

did not leave their property in the ordinary way, but whose intellect was not therefore called in question. — Q. She said so? A. She said so. I then said, "Might you not leave some to the grandchildren?" — Q. To the grandchildren? A. To the grandchildren—to which she replied, "that she did not feel inclined to do so." — Q. Did you speak to her about the case of poisoning? Did you take that next in order, or which did you take in order? A. I then commenced about the case of poisoning, and I said, I had heard that she had been labouring under delusion as to an attempt having been made to poison her. She said, "There was a mistake about that." Those were the words she used. She said there was a mistake about that. She thought she had sufficient ground at all events at the time. — Q. Did she tell you about the analysis? A. She told me that the analysis had discovered that there was acetate of lead in the food. She said it had been discovered by Dr. Barnes that there was acetate of lead, or some other poison, from eating of which the fowl had died, and that there was sulphate of magnesia in the milk presented to herself. — Q. That is Epsom salts, is it not? A. Epsom salts.

The COMMISSIONER.—In the milk presented? A. To herself. She very minutely recapitulated all the circumstances as to the situation of the fowl-yard, the poultry-yard, and the conversation which had taken place between herself and servant.

Mr. JAMES.—Did you then advert to the strangling at all? A. I said, "I should like you to tell me about the strangling." She told me that she had been alarmed at the suddenness with which the movement towards her had been made by her daughter, and for the moment she said, "I might have supposed I was going to be strangled, so sudden and so violent was it." I then said, "Of course you do not entertain that opinion now."

The COMMISSIONER.—She said the movement towards her was so sudden. A. So sudden, and I think she added, unexpected. I said, "Of course you do not entertain that notion now." "Certainly not; it was clearly a mistake on my part."

Mr. JAMES.—Did you then question her about her property? A. She then told me about her property. I said I should like to hear something about her property. "Will you tell me its amount, its yearly value?" She said, "It is worth 500*l.* or 600*l.* a year."

A JURYMAN.—Now? A. Yes, now, as far as I understood her. "Of course," she said, "it would have been worth much more, but for the expense of these dreadful proceedings." She used the word "dreadful," or something to that effect. — Q. From the statement which she made to you, whether her aversion to her children may be rightly founded or not, should you call that a delusion? A. Certainly not; she made the distinction herself, it cannot be a delusion; it may be wicked, but with that the law has nothing to do. — Q. She said so? A. She said so. — Q. Is an aversion entertained by a person towards her children, who, from a course of conduct they may think have acted most unkindly or most ungrateful to them, is that a delusion? A. Certainly not. — Q. It is a sentiment of the mind? A. Certainly. — Q. Not a delusion? A. Not a delusion. — Q. Does the intensity of the aversion show any evidence of a delusion? A. I think that depends upon the character of the mind. A person of quiet temperament would in all probability be satisfied with a moderate expression of aversion, a person of strong feeling would take a more emphatic form of expression. — Q. With reference to this person did you find that there is any delusion as to the poisoning at present dwelling upon her mind? A. Not at all. — Q. Am I right in stating it is an impression of something past? A. I thought it was an historical expression past and gone. — Q. Not haunting her mind at the present time? A. No. — Q. Have you any doubt at all about it? A. The only doubt I have arises from this fact, that she seemed to hope that she should not be dragged away again. — Q. Did she express to you any dread of a lunatic asylum? A. Yes, she said "I hope the commission will terminate in my favour; if it does not, I shall probably not live three or four months." — Q. She said so? A. She said so. She said, "The shock will be too much for me." — Q. Do you agree with Dr. Winslow, that a delusion is the test of insanity or the creation of a diseased mind, that one of the symptoms of that delusion is its constantly haunting the mind and influencing their actions? A. Certainly. — Q. Did you find any delusion exist? A. Not at all. If I had seen her without any reference to the commission, I should have seen her, as I should have seen any other lady patient, and left her with a full impression that she was

perfectly sane in every particular. — Q. Is it your opinion that she is of sound mind? A. Oh, certainly. I do not mean to say that she is a woman of the very strongest mind, but of perfectly sound mind, and I think it very likely, if she were to have questions brusquely put to her, and thirteen or fourteen people present, she might show some alarm. — Q. She is very old and feeble? A. She told me she was seventy years only. — Q. There is a distinction between a memory somewhat impaired and a diseased mind? A. Oh, yes. — Q. Have you not met any people of her age and position, who cannot give you an account of their property when put before them, who yet would be perfectly sane enough to dispose of it? A. Many; but she has a great deal more than that. — Q. I am putting a partial failure of memory in a person of her age who has suffered so much, as no test of insanity? A. Certainly not. — Q. Then it is your opinion that she is of sound mind? A. She described to me very accurately the circumstances of her being dragged away from her house in 1846; she described the two nurses, whom she called two great, large women, sitting by her side. — Q. That was effort of memory? A. That was an effort of memory; and the manner in which she was treated at Dr. Millengen's: she said she never was treated as an insane person while she was there. — Q. Is it your opinion she is of sound mind? A. Certainly.

Examined by the COMMISSIONER.—Q. Did she seem to be under the impression of being taken to an asylum? Did you attempt to soothe her? A. I told her I did not think there was much probability of her being taken to an asylum. I went as far as this, I said: "Even if the commission should be unfavourable, there is not absolute necessity;" but she immediately said—"That will be equally fatal, giving my property, or withholding my property as I think right."

Examined by the JURY.—With respect to the strangling, you say that idea has gone from her mind entirely? A. I thought so. — Q. Did you take any opportunity of expressing to her that it might have been over-affection? A. I did not put it so. — Q. Did you say, As it is a mistake, perhaps you will have a more kind feeling towards her daughter? A. No.

Mr. JAMES.—The great object was to hear her state her views? A. Exactly.

A JURYMANS.—This lady is very much affected with paralysis, is she not? A. I should say she is very much out of health indeed. — Q. Is there any fear of her being seized suddenly with apoplexy? A. I think there is. — Q. Do you think the way she has been treated now, being in the habit of taking wine and brandy, and other stimulants—do you not think, by being under that treatment, it is very likely to bring on apoplexy very suddenly, and cause sudden death? A. My visit would not justify me in forming any opinion. She was not under the influence of anything at the time when I saw her yesterday; but I should think, from the flabby condition of her flesh, without the moderate use of stimulants, she would sink and die. — Q. You think of the two evils, they choose the least? A. I do not think I am called on to speak to that alternative. — Q. Did she know you were coming? A. I think Dr. Hale told her, but it could hardly have been a minute or two before. — Q. In your opinion, may a person under strong delusions, and having made unfounded statements—is such a person, knowing she would be under the examination of a jury, capable of being tutored to conceal her delusion, and qualify any statements she may have made? A. I think she was totally incapable of that kind of delusion; but if so, it was an insane delusion.

The COMMISSIONER.—After a certain time? A. I should say, after it has established itself in the mind. After an insane delusion has established itself in the mind, I think you could not tutor such a patient to receive safely the visits of anybody. — Q. You could tutor her for a time, a very short time? A. I doubt it. — Q. It would not be a permanent delusion? A. No. — Q. Did you ever see a patient with delusions, when you did not discover them for some time. A. I have never seen a patient with an insane delusion, where, if you approached or alluded to that delusion, tutor him as you may, you could get away from him the effect of that delusion.

A JURYMANS.—Do you think if she thought it was affection on the part of her daughter, when she hung about her neck, it would alter her mind? A. Not now—I think her feeling is too deeply rooted. — Q. If she thought it was affection, it would not alter her? A. Well, my opinion is not worth much on that point. In conversation with Mrs. Cumming, her mind seemed so thoroughly made up, that nothing I think could alter it very much.

Another JURYMAN.—But her mind could not have been thoroughly made up when she stated she was mistaken. — A. I do not think, in reference to that absolute, single, isolated transaction of the strangling, Mrs. Cumming's mind rests upon that only—she related to me a long series of circumstances. — Q. But on that point alone she stated to you, though she apprehended she was about to be strangled at that moment, she had since found she was mistaken about it. — A. I think that impression is removed. — Q. And you think that there is no cause of enmity now? A. Not at all; I do not think it has anything to do with the enmity.

The COMMISSIONER.—It rests on the other conduct which she mentioned? A. Decidedly; and she made a very marked distinction herself. — Q. You did not endeavour to convince her the issuing of a Commission of Lunacy was not a bad act on the part of any one? A. I think if I had, I should have had some difficulty to convince her; she told me it had cost three or four thousand pounds. — Q. Did you endeavour to convince her it was for her own benefit. You do not consider a Commission of Lunacy a diabolical act? A. Not an unmitigated evil. — Q. Then I suppose you would say it is for good? A. Yes. — Q. Did you endeavour to convince her mind there was no evil—that it was an attempt to find out whether she was of right mind or not—not for her injury, but for her benefit? A. I think I should have been convinced of that myself, which I was not. — Q. It is not an evil of the daughters commencing the Commission of Lunacy, unless it is proved to be one? A. Exactly. — Q. Not having been proved to be one, yet did you attempt to satisfy her mind upon it? A. Not at all. — Q. Did you find out how recently she had found out she was mistaken about the strangling? A. No, I did not; it seemed to have passed from her mind entirely, she only referred to it as a past circumstance. — Q. You were not aware she had very recently adverted to it? A. Yes; I alluded to these three great delusions I had heard, and she treated them all as past things, and smiled about them, and said that upon this the commission was founded of course; she said a great deal more than I can detail now.

John Conolly, Esq., M.D., examined by Mr. JAMES.—You have devoted much of your attention to the study of mental disease? A. I have. — Q. You are physician of the asylum at Hanwell, and have also establishments under your care? A. Yes. — Q. When did you first see this lady? A. I first saw her in September 1846. Q. At the time of the last Commission. — A. At the time of the last Commission I saw her at York House. — Q. Did you examine her then? A. I had an interview of two hours with her, on the 6th of December, and a second interview on the 18th. — Q. I believe you were prepared on that occasion, had the case gone on, to have given your evidence on her behalf? A. I was prepared to do so. — Q. From the examination you made of her you were then prepared to have given your evidence on her behalf; I presume I am justified in stating you were of opinion she was not of unsound mind at that time? A. I was of opinion that she was not of unsound mind. — Q. When did you see her again? A. I saw her when the Commission was resumed, after its adjournment at the Horns Tavern, on the 21st and 22nd of September. — Q. From all you saw of her at that time, the examination you made of her, the opportunity you had of seeing her, were you prepared to have given your evidence then that she was not of unsound mind? A. Quite so. — Q. When did you see her again, with reference to these proceedings? On Monday, December 1st, 1851. — Q. You have heard, I presume, that she has been seen by a great many medical men, and submitted to a great many examinations, in the course of the investigation; now, if these alleged delusions existed in her mind, could she be tutored so as in any way to conceal them? A. I think it quite impossible that she could; many patients will conceal their delusions, that is, they will not spontaneously avow them; they will learn to do that; but if you examine and touch on the delusion, with a little care and patience, one never fails to bring it out. — Q. And you have heard the gentlemen who have gone and submitted her to examination on both sides, have at once put to her the alleged delusions, and brought the mind to the topic distinctly? A. I believe, repeatedly, it has been done. — Q. Assuming the existence of a delusion as the result of a diseased mind, and the mind brought to the topic, if it is the result of disease, it is not manifest at once? A. Perfectly so. — Q. So that if you are unaware of the delusion of the

patient and speak in an hospital, or elsewhere, and do not touch on the particular diseased chord, you may leave that person under the impression that they are not insane? A. Undoubtedly. — Q. But if you do touch upon the delusion you have discovered the disease; is not that so? A. Almost invariably, I should say. — Q. Then is it your decided opinion that this lady—I use the expression which has been used or insinuated—could not have been tutored so as to suppress any evidence of insanity in these conversations? A. I do not think it possible. — Q. You saw her, I think you were saying, upon the 1st of December? A. Upon the 1st of December. — Q. I will not take you at any length through the dates; how often have you seen her altogether? A. Eight times, including her visits here, and the visits when I attended the Jury to her house. — Q. Were you with the Jury on both occasions? A. On both occasions. — Q. And you heard all the statements which she made to the Jury? A. Yes. — Q. You have, yourself, examined her mind with a view of testing it? A. I have done so. — Q. Frequently? A. Not frequently. — Q. How often? A. On the subject of the delusions, not frequently, because I was not aware of them until recently; when I first saw her some of those delusions did not exist, circumstances had not occurred. — Q. When you saw her in 1846, the circumstance of the poison and Dr. Barnes had not occurred? A. No. — Q. And I believe the impression she is said to have expressed herself, as to her daughter having attempted to strangle her, that had not occurred in 1846? A. That had not occurred. — Q. Have you examined her upon these which are alleged to be delusions, the aversion to her children, the alleged attempt to poison her, and the strangling? A. I have examined her on all these points. — Q. With reference to the aversion for her children, what does she state to you generally upon that point? A. Her statement now is quite consistent with her statement in 1846. She considers she was treated with great harshness, great want of feeling; that she was taken unnecessarily, and violently, to a lunatic asylum. In 1846 it had occurred once, and now it has occurred twice; and this in addition to various little cases of neglect, which she sometimes alluded to. These are assigned as reasons for believing that her children have no affection for her, and the things which seem to have alienated her affections from them. — Q. Am I right, do you agree with other gentlemen who have given their opinion, that an aversion to children entertained more strongly by one mind than another, if there exists some foundation for it, is it a delusion, or an intensity of feeling? A. Merely an intensity of feeling. — Q. Is it a delusion at all as the test or as the creation of a diseased mind. I mean the strength of the aversion? A. Not where it is founded on any real cause. — Q. With reference to the poisoning, when you have put to her that which is alleged to be her delusion, has she stated to you the facts always from which she derived that impression? A. She has alluded to them repeatedly; her impression being that the object has been for a long time to get possession of her money; and now they would be glad if her life were sacrificed that the same end might be accomplished. These expressions are frequently used by her. — Q. Now, the strangling? A. With respect to the strangling, she has given a very simple account of it; that when her daughter had not seen her for some time, when they were not on good terms, her daughter suddenly rushed up-stairs, threw her arms about her neck, with a violent expression of feeling, and that it agitated and alarmed her, and that she thought her daughter intended to injure or strangle her. But the idea appears to have entirely gone away from her mind as a mere erroneous impression at the time. — Q. Do you find either of those delusions existing or haunting the mind now? A. Not at all. — Q. And is not that one of the tests of delusion of an insane mind, that it haunts the mind and influences their actions? A. Certainly. — Q. And you find neither of them? A. I believe neither of them exist. — Q. The aversion to her children is not an aversion, it is an intensity of feeling? A. An intensity of feeling; and the circumstances which are known to have taken place are in my mind sufficient to account for it. — Q. Do you agree with Dr. Ashwell in the opinion he gave, that they are rather historical impressions than present delusions haunting the mind? A. Entirely. — Q. I believe you have taken great pains with this case, and given great attention to it? A. I have taken much pains both in 1846 and on recent occasions. — Q. Is it your opinion that she is of sound or unsound mind? A. I consider her of sound mind. — Q. Do you give a decided opinion? A. A decided opinion. I never discovered in her any incoherence, or

any symptom of a disordered understanding.—Q. Perhaps you will allow me to ask these questions:—You are a physician of the Hanwell Asylum; if she were in the Hanwell Asylum, would you retain her in that asylum as a patient of unsound mind? A. Certainly not; I should recommend her for discharge.—Q. That is a public institution of which you are the public officer? A. Yes.

Cross-examined by Sir F. THESIGER.—You have a private asylum of your own? A. I have.—Q. What is that? A. Where I live, on a very small scale; I take a few patients at my own house.—Q. How many? A. Five or six; never more.—Q. That is, of course, under the control of the Commissioners of Lunacy. A. Entirely. I ought to state, that I am partly proprietor of another, where there are about twenty received.—Q. Where is that? A. At the village of Hayward End.—Q. Is it your opinion “that all well conducted asylums have now become places of protection, abounding in the means of diverting the thoughts and calming morbid excitement, and soothing the depressed, and rousing the apathetic, and restraining the lower propensities of the insane, and restoring the control of reason?” A. All well conducted asylums.—Q. There are asylums under the control of the Commissioners of Lunacy? A. Yes; nearly all; there are one or two exceptions—Bedlam is one.—Q. Is it your opinion, that if there is something in the character of a party's mind, it is not only the dangerous lunatic who requires to be placed in an asylum, but the rule for safe general guidance must have a wider extent? A. Certainly.—Q. Is it your opinion “that if there is something in the character of a party's mind which renders him unable to take care of himself and his property, or which is incompatible with his personal safety, or that of others, or with the security of his property, or that of others, or with his own comfort or well doing, if left to himself unprotected, that he ought to be carefully watched after in a lunatic asylum?” A. I think so.

Mr. JAMES.—Do you put the pamphlet in?

Sir F. THESIGER.—No.

Mr. JAMES.—I should like to see it.

Sir F. THESIGER.—I am reading now from a pamphlet which you did me the honour to send me, and for which I return you my thanks, in which, with reference to the Agapemone case, you found fault with the opinion of the Lord Chief Baron, as to the ground of there being no right to confine lunatics, except those dangerous to themselves or to others.—Q. I think you state that nothing is more clear or certain, that that interference is not only justifiable but absolutely necessary in a great many cases, in which neither the person of the lunatic nor that of others is in any way endangered by his malady? A. Yes; undoubtedly.—Q. “Is it your opinion that there are many forms of unsound mind, which, although for a long time unattended with actual danger to the lunatic or others, lead to consequences so intolerable, that an asylum must be resorted to relief?” A. Yes.—Q. And amongst others, are there delusions as to property, as to money owing or withheld; is that your opinion? A. Yes.

A JURYMEN.—If it is evidence, will you have the goodness to mark the passages?

Sir F. THESIGER.—I have marked them.

A JURYMEN.—They are the settled opinion of Dr. Conolly, on oath I take it?

Sir F. THESIGER.—Just so. I do not put it in.

The Witness.—Of course I answer the question in the shortest manner, to save your time; but it would be very easy to illustrate almost all these by hypothetical cases.

Sir F. THESIGER.—But I want to have on oath, your opinion now; that being your opinion, will you allow me to ask you this—“whether there are not a large number of patients who are properly confined in a lunatic asylum (I will take Hanwell, as an instance) who would be able to execute a deed, to count the money which they received, to work out simple rules of arithmetic and to conduct themselves in such a way as to lead even a professional person to believe that they were of sound mind as regards those acts?” A. No doubt there are many persons who are deranged who are still capable of certain exercises of intellect, those which you have mentioned.—Q. Have you found from your experience, that persons who have been in confinement in lunatic asylums, have been able to give a reasonable account of the grounds upon which they have been placed in confinement? A. Very often.—Q. But you have found those instances occurring in the course of your experience? A. Yes; certainly.—Q. Have you

found that there are many persons who really conduct themselves with propriety when they are under the control and discipline of an asylum? A. There are many such. — Q. Did you converse with this lady upon the subject of her property at all? A. In the first interview which I had with her at York House, in September, 1846. — Q. Did you, upon these last occasions in December, and the other periods when you have seen her, converse with her about her property? A. I have not said a great deal about her property, but I have asked her, and reminded her that she was accused of living beyond her income, that that was one of the things alleged against her. — Q. Did you tell her she was accused of living beyond her income? A. That she was accused of spending more money than she could afford; I did not say accused, but that that was one of the allegations against her, because these allegations were the subject of every constant conversation on her part and mine. — Q. Did you put it to her in that way? Do not suppose that I am imputing anything improper to you; I have too high a respect for your character and station, but I want to know (for it is important to know) how you put your questions. Did you say she was accused of living beyond her means? A. I will not say that I used the word "accused," but I certainly said that was one of the things alleged against her. — Q. What did she say about that? A. She did not say a great deal about that, certainly; she neither denied nor avowed it; she said, they said a great many things about her. — Q. I beg pardon for fastening upon an expression, but you said, she did not say a great deal about it herself, if some other person had? A. No. — Q. Did you ask her the particulars of her property, and what she had done with it? A. No, I did not. — Q. Did you ask her anything about her will? A. No.

Re-examined by Mr. JAMES.—You have done me the honour to make me a present of this book; it appears to be a pamphlet which was elicited from you?

The COMMISSIONER.—Are you going to put that pamphlet in?

Mr. JAMES.—If a portion of the pamphlet be read to the jury, the fairer way is to let them have the whole.

Sir F. THESIGER.—I merely asked Dr. Conolly questions from his pamphlet in order to get his answer on oath.

Mr. JAMES.—Very well, then I can do the same thing.—Is there anything in this pamphlet at all at variance with the opinion which you have expressed with reference to Mrs. Cumming's soundness of mind? A. I believe not one word. — Q. Is there anything in it which is in any way at variance with the result of your examination, and with what I need hardly describe as being your conscientious opinion as to the sanity of her mind? A. Nothing. There is nothing at variance with it. — Q. I believe that this pamphlet was elicited from you in consequence of the Lord Chief Baron laying it down that people ought not to be confined in a lunatic asylum unless they were dangerous to themselves and others? A. Yes. — Q. I will read the paragraph. "In the report of a recent trial," &c. (reads the passage.) I believe that your pamphlet was written to contest the proposition that persons ought not to be put in lunatic asylums unless they were dangerous to themselves and others? A. Yes; that was the origin of the pamphlet. — Q. I will assume a lunatic asylum a palace, and that every person in it is waited upon by six footmen—is it the comfort of a lunatic asylum which ought to influence a medical man in giving his opinion on the sanity or insanity of the patient? A. No. — Q. You state here that well regulated asylums are very proper receptacles for many persons of unsound mind? A. No doubt of it. — Q. Would you put, or advise the putting, any person of sound mind, but of feeble memory, into the very best regulated asylum? A. No. — Q. Or have you in this pamphlet suggested such a thing? A. No.

Sir F. THESIGER.—Do not let it be supposed that I have attributed any such intention to Dr. Conolly.

Mr. JAMES.—You have been asked, if in an asylum there are many people who might execute a deed; there are many persons who are sane on some points, but with clear delusions upon others? A. Many. — Q. And are their actions sane, or their actions those of sane people, unless the existing delusion in some way or other interferes? A. There are many persons precisely of that description. — Q. But in those cases do you find the existing delusion haunting the mind upon some point? A. In a good number of cases the delusion haunts the mind; but I need not say there are many cases of insanity in which there is no delusion. — Q. Do

you give a decided opinion as to the sanity of this lady? A. A very decided opinion. I always had the same opinion from the first interview; and every interview I have had with her has confirmed that opinion.—Q. You have been asked if you examined her and put questions as to her property; did you hear all the questions which the Commissioner and the Jury thought proper to put to her with reference to her property? A. I heard those questions.—Q. I presume there is a broad distinction between the partial failure of memory, and insanity? A. Quite so; it appears to me, that the state of Mrs. Cumming's mind at present in relation to that particular subject is this, that she could understand any single or plain proposition relating to any part of her property.—Q. I think you were saying on my putting the question, which was objected to by my friend, Sir F. Thesiger, that there is a broad distinction between feebleness of memory, or partial failure of memory, and insanity? A. Quite so.—Q. Have you found many persons in your experience, who, although they have a failure of memory as to their property, are of sound disposing mind and judgment when that property is put before them and brought to their attention? A. I am sure that that is the case with a great many persons, particularly at the time of life which Mrs. Cumming has attained.—Q. And is there not a broad distinction between a person having a delusion that he is possessed of a very large sum of money which he is not, and a failure of memory with reference to property of which they are really possessed? A. A very broad distinction.

The COMMISSIONER.—The way in which a person manages property may be a test of sanity or insanity? A. Yes, it may be a test.—Q. Is it not sometimes a test? A. There are such various shades—it may be a test of soundness and accuracy of judgment, without actual derangement of mind.—Q. Do you know, without referring precisely to what took place, how this lady has managed her property? A. No; I have no information upon that subject, except what I have heard in court.—Q. I am not going to ask you for a definition of delusion, but I will ask you this:—A. B. has a reason for believing that an attempt is made to murder him—that belief upon his mind is a delusion?

Mr. JAMES.—No; if he has reason for believing it, it cannot be a delusion.

The COMMISSIONER.—That is not a delusion—it is an existing fact? A. Yes.—Q. That is not insanity? A. No.—Q. Insanity is one thing, but a delusion is not insanity, it is only a test of it? A. Delusion often, I suppose, may be called a mere error of judgment, but a distinct delusion is a thing so very different that there can be no mistaking it; for instance, I would say that at Hanwell I have a number of persons, poor people, who imagine that they are going to be married to the Queen—that they are to be raised to the highest rank in the peerage to-morrow; and on the other hand, we have excellent persons who think they have been guilty of distinct crimes, which will be published in the *Times* newspaper to-morrow.—Q. Suppose a person has an idea that he is going to be married to the Queen, and that he has some ground for such a belief, that is not a delusion; but suppose the mind is altogether divested of that impression at a particular period, but that a year or two afterwards the mind reverts to the same impression without any fresh justifying cause, is that any test? A. I should say there was disease of the mind there.—Q. You must account for that I am afraid in one of two ways; either that the mind was never, in fact, divested of the original impression, or else that there must be something like a disease; am I right in that? A. Yes.—Q. If a gentleman has an impression that he is going to marry the Queen, from having received an anonymous letter, or something of that kind, that is intelligible, and it is no delusion; but it is no test of insanity; if, on the other hand, he is perfectly satisfied that that was altogether nonsense, and then the mind having got into that state without any cause arising whatever, the mind reverts back to the original impression, would you say that is a test of insanity? A. I should suspect it certainly.

A JURYMEN (to the witness).—Q. You have spoken of Mrs. Cumming's intensity of feeling; does that not generally exist in an unsound mind? A. Intensity of feeling, of course, according to the disposition of every individual, and there is no particular mark or line which you can draw; you must take a number of circumstances into consideration.—Q. It does not always exist? A. It does not exist in the same degree; but where it exists on certain facts we do not look on that as insanity, but as an excess of feeling, or perhaps an ill-governed feeling, according to circumstances.—Q. Do you think, from what you know of this lady, taking day after day liquors and wine, and things of that description, potent drinks that would

cause at times a temporary derangement of intellect? A. I think it would cause a great variety of manner and mode of talking, and aggravate any eccentricity of disposition so as to account for some peculiarities. — Q. Do you think that at times she, from taking these potent drinks, is under temporary derangement of intellect? A. I have never seen her so. — Q. Nothing like delirium tremens? A. I have never seen her in any condition approaching to that, and I have never seen her in any state in which I have thought her under the influence of wine or spirits, never.

Forbes Winslow, Esq. M. D., recalled, examined by Mr. JAMES. — Q. There was a question I omitted to ask you last evening; there has been a suggestion, or an insinuation, made about this lady being tutored. You have heard the number of examinations from one side and the other, to which this old lady has been subjected? A. Yes, I have. — Q. And you have heard, perhaps, of the medical men going with the knowledge of what are alleged to be her delusions, and putting them distinctly to her, and hearing her answers and conversations on the subject? A. Yes. — Q. I will use the expression which has been insinuated, could she be tutored to conceal her delusions on these examinations? A. I do not think she could. — Q. For a period? A. For a short period. I do not think in Mrs. Cumming's case, she could. In cases of diseased mind, if you refer to the delusion, or touch the chord that is diseased, or out of tune, the delusion becomes generally immediately obvious.

Sir F. THESIGER. — That is what you asked Dr. Winslow yesterday.

Mr. JAMES. — I was told, and was surprised to hear, that there had been some insinuations made, that this lady had been tutored to undergo these examinations.

Sir F. THESIGER. — No. The question was put to Sir Alexander Morison many days ago, whether she was not a person who was capable of being tutored to undergo the examination. I do not know why my friend should again call Dr. Winslow for this purpose.

Mr. JAMES. — I have a right to recall the witness.

Sir F. THESIGER. — I beg pardon, it is not a matter of right; whenever it is done it is always with the permission of the Judge, who allows it, or not, as he thinks right.

A JURYMEN. — I do not put it that Mrs. Cumming had been tutored. I asked, whether a person might be tutored.

Mr. JAMES. — It was not your question, sir, but the evidence given by Dr. Diamond and Dr. Davey, led to an insinuation, that she had been tutored in some way. — Q. Now I ask you, notwithstanding what a clairvoyant doctor may have said upon the matter, in your opinion could she be tutored to conceal her answers under any tutorage? A. It is quite impossible; in Mrs. Cumming's case it would be impossible; there are some cases where the lunacy on careful examination is not very apparent, but if the party examining has a key to the aberration, and touches upon the delusion, that must eventually become apparent.

The COMMISSIONER. — Q. Supposing a man has reason to believe, from an anonymous letter, or anything of that kind, that he is going to be married to the Queen, that is not a delusion, that is not a test of insanity? A. Not taken by itself. — Q. Supposing a mind entirely gets rid of that belief for a considerable period, and the mind afterwards, without any new or fresh facts arising, reverts back to the same belief; in that case, should you say that mind is perfectly sane? A. I should not say that it would be an infallible test of insanity; it might excite a reasonable suspicion as to the condition of a person's mind. — Q. It raises some suspicion in our mind, nothing beyond that? A. No; it would excite suspicion. — Q. But you would not be satisfied, in the generality of cases, with one delusion, or any one fact, probably? A. If a delusion existed in the right acceptation of the term, one delusion, and it was clearly the result of a diseased condition of mind, I should have no hesitation whatever in saying that the mind entertaining it was unsound. — Q. You mean that one delusion of a strong character would be sufficient evidence to lead you to the conclusion that that man was of unsound mind? A. I do not confine myself to the mere strength of the delusion. Supposing, for instance, a person imagined his legs to be made of glass, and under that diseased impression or delusion, is careful how he moves his legs, from a fear that he might break the brittle article; that would be a delusion, irrespective altogether of its strength, degree, or influence upon the conduct of the person. — Q. It would be to a degree a symptom of an unsound and diseased mind? A. It is not a question of degree at all; if the

delusion exists, it is a symptom of insanity. — Q. The delusion is only evidence of the disease of the mind? A. It is a symptom of a diseased mind. — Q. It is evidence, the same as if a man had no intellectual faculties; it is not the disease, but it shows the existence of the disease? A. It is an indication of a certain state of mind to which the term insanity is applied. — Q. You know the case of a man who fancied that one leg was his own and the other Madame Vestris's, and saying, when asked to walk, that he could not do so, for that reason; would that lead you to the conclusion that he was of unsound mind? A. I should have no doubt that he was of unsound mind if he entertained so absurd a notion.

Mr. JAMES.—That, sir, is the case on the part of Mrs. Cumming.

FIRST EXAMINATION OF MRS. CUMMING BY THE COMMISSIONER.

JANUARY 13TH, 1852.

Q. You have not seen so many people for a long time? A. No. — Q. Do you remember seeing me in the year 1846—it is some time ago? A. I have not forgotten you. — Q. This is a better house than you had at Belgrave-terrace, or street? A. Yes, it is. — Q. We went and saw that? A. I recollect your going to see it. I requested they would let you see it. — Q. You had some cats there. I do not remember how many? A. Yes, I had cats. — Q. I think you had pigeons there? A. Yes, I had; if it was any mark of insanity to keep pigeons, there are a good many people who would be taken to the madhouse. — Q. This is a much more comfortable place than that was, as far as I can judge? A. Yes. — Q. This is your own house, I think? A. This is my own house. — Q. You bought it? A. Yes, I bought it. — Q. And the adjoining house? A. You are right. — Q. Do you know what you gave for it? A. Yes, I do. — Q. I am afraid I must ask you what may appear to be an impertinent question to a lady, but I hope you will not be offended? A. If you do not ask me too many. — Q. What did you give for it—do you remember? A. Do you mean for the two? — Q. Yes, for the two. A. Why, I gave about 500*l*. — Q. Do you know what the ground-rent is upon either of them: you know that to the person who owns the soil you pay a ground-rent—do you know what it is? A. I could not pay all the money that was required for it, because there was a mortgage of it. — Q. Were you to pay 500*l*. besides the sum that was mortgaged. I will try and explain to you, in order that you may not misunderstand me—you think you paid 500*l*. for it, but there is a mortgage? A. Yes, there is a mortgage. — Q. Do you know the amount? A. Yes, I do. — Q. How much? A. I do not know that I am authorised exactly to expose my private affairs in that way: do not deem me impertinent to you, Mr. Barlow. — Q. No, I will not; that is why I apologised for asking you the question: these gentlemen are on their oaths, and therefore I am bound to ask you the questions which are suggested by them. You would rather not say how much? A. I had rather not. — Q. We have been told the value of the houses with the mortgage—how much do you think it worth with the mortgage. You were to give 500*l*. for it? A. Yes; there are two houses, you know; I could not give the whole amount—not the whole value of the houses. — Q. But there is a mortgage? A. There is a mortgage. — Q. You would rather not? A. Divulge it. — Q. But I suppose if the interest were not paid on the mortgage you would be troubled by the persons to whom the money is owing? A. But the interest I paid. — Q. By whom? A. By my solicitor—by my desire. — Q. May I ask the amount of money—the interest that is paid? A. Why, I consider, Mr. Barlow—I consider it is a private affair, and as I am persecuted so much about my property, I think it right to keep those affairs in my own breast—do not deem me impertinent in giving that answer. — Q. I understand you to say that you have been persecuted; what makes you think you have been persecuted—who do you think have persecuted you about your property? A. My two daughters. — Q. Anybody else? A. No, not now. — Q. You mean Mrs. Ince and Mrs. Hooper? A. And Mrs. Hooper: they have most grossly persecuted me; wherever I go to, I am persecuted by them the moment they find me out. — Q. In what way do they persecute you? A. By coming to my house and annoying me, and putting me in the position I am placed in at present when they get at me. — Q. This house is a very comfortable one, apparently? A. Yes, but I am not speaking of the house, but I am speaking of the inquiry that is taking place with

regard to my sanity. — Q. You mean they took out a commission in 1846? A. Yes, they did. — Q. Had not Mr. Cumming something to do with it before? A. Ah, he had—it was so nominally—they said he did it. — Q. What kind of person was Mr. Cumming—did you live quietly and happily together? A. We did. — Q. I ask you the question at the suggestion of your own friends, and others—was he a person quiet, and of good temper—I am told you treated him with kindness sometimes, and sometimes not? A. He is dead, and let all faults be buried with him. — Q. I believe you told me that before? A. I did. — Q. Was he a free living gentleman with ladies; do you remember, because there is some allegation about his nurses? A. He had some very bad nurses. — Q. Are you quite sure of that from your own personal observation? A. Yes. — Q. Did you ever see it yourself, personally? A. I did. — Q. You had no doubt about it in your own mind? A. No, because I had ocular demonstration of it. — Q. I do not like to ask you about that more minutely? A. I could not enter into it for decency's sake—decency would not allow me. — Q. But it was of that kind that you refer—it was of an indecent character? A. Yes; decency forbids me to mention it. — Q. Was that shortly before he died that you refer to? A. Yes. — Q. During his last illness? A. I was not with him. — Q. Was it shortly before you went away? You were taken away some little time before he died? A. Yes; it was shortly before he died. — Q. Now, this mortgage about these two houses—you do not know the precise amount—you do not wish to tell us the precise amount? A. I do know it certainly, but it is an affair I should not like to enter into. — Q. The next house you let to somebody? A. Yes, it is let. — Q. Do you know what rent is paid for it? A. Yes. — Q. Have you received it yourself? A. I have seen the house, but have never been all over it. — Q. Who receives the rent for you? A. Mr. Robert Haynes. — Q. How long ago is it since you bought these houses? A. I do not know. — Q. I do not think we have been told that? A. It is now seven years ago, I think. — Q. Since I had the pleasure of seeing you at the Horns? A. Oh, yes; what is that. — Q. Do you remember the year. I saw you on the other side of the water—that was in 1846? A. Yes, in 1846. — Q. How long was it after that that you bought it? A. A good bit. — Q. Has that adjoining house been let ever since? A. Yes, to the same ladies who took it. — Q. Have they ever paid you the rent yourself? A. No; I never demanded it of them. — Q. Who is it paid to? A. Mr. Robert Haynes. — Q. And he can tell us all about it? A. He can tell you all about it. — Q. Has he ever sent you an account of his receipts for it? A. Yes; he has given me an account of it. — Q. From time to time? A. Yes, from time to time. — Q. Do you know what the rent is? A. Yes. — Q. What is the amount of it? A. Yes; the amount of the rent yearly. — Q. What is it: it is a smaller house than this, judging of it from the outside? A. It is much the same, but not so well finished a house as this. — Q. What is the rent of it—what do you get for it, I mean—do you remember what it is a year? A. I do; but my daughters make all inquiries to know how much this estate is, and how much the other, and that makes me more reserved now. — Q. But I do not come here by order of your daughters? A. No; I know you do not. — Q. You do not wish to tell us? A. No; most certainly I do not. — Q. But Mr. Haynes has received it always for you? A. Yes. — Q. What other property have you got? A. Do you mean in London or Wales? — Q. Have you any in London besides those two houses? A. No, not besides. — Q. But you have some near Newport? A. Yes, in the neighbourhood of Newport. — Q. Do you know what it produces you a year? A. Yes. — Q. How much? A. Why, I have sold some of it, you know. — Q. We are told you have sold it? A. I sold it, and sold it very advantageously; and the other I was obliged to sell to the Railway Company—of course, it was a matter of obligation—it was not a matter of choice, that was not. — Q. Do you know what you got for the bit you sold to the Railway Company? A. Yes. — Q. How much? A. I have only got this [referring to a paper] to tell you, in case you do not know. Do you know what you were to have for that from the Railway? A. Which of the houses? — Q. That I cannot tell you; you sold one property to the Railway Company, and another to the Waterworks Company? A. You are right. — Q. Do you remember what you were to get for that which you sold to the Railway Company? A. There were two properties sold to the Railway Company. — Q. And one to the Waterworks Company as well? A. Yes. — Q. What did you get for each of those which you sold to the Railway Company—do you know?

A. Which do you allude to? There is one in Newport and one in Bassaleg.—Q. What were you to have for the one at Newport? A. I would not let the house without the grounds, because it was built for a gentleman's house, and of course no gentleman would have taken the house, the railway passing by it.—Q. What were the railway to give you for the house and for the grounds? A. They were to give me for the grounds and for the house 2000*l.*—Q. 2000*l.* value? A. Yes.—Q. For the house and grounds, you mean, at Newport? A. Yes.—Q. What were they to give you for the other? A. Bassaleg? Q. Yes? A. They were to give me 2000*l.* for it: that is, 4000*l.*—Q. Then for the Waterworks, they took something, did they not? A. It is made the Waterworks now.—Q. The Newport Waterworks Company? A. They bought it, you know.—Q. That is the third sale? A. That is the third sale.—Q. What were they to give you for it? do you recollect? I am afraid I cannot assist you in it. Do you remember what they were to give you for it? A. Yes, they were to give me 3000*l.*, that is, 9000*l.* altogether.—Q. No, no? A. No, very near it. Is it not very near it?—Q. The first 2000*l.*, do you know what has become of it; have the railway paid it to you? A. Yes.—Q. Did they send you the money—did they send it to your bankers? A. Yes, they did; at least it came to London.—Q. They paid it into court, I suppose? A. They did not pay it into court; they paid it here, at the attorney's office.—Q. Is that Mr. Haynes? A. Yes.—Q. He received it as your solicitor? A. I was present when he received it, and he handed it over to me.—Q. Did he hand it over to you in the shape of money? A. Yes, he did, and then, you know, I had a great number of debts to pay, and amongst them my law expenses.—Q. That was money they handed over to you. They came up to London and paid you that? A. Yes.—Q. Now, the other 2000*l.*, which I suppose was in some way or other in the Court of Chancery—I do not know? A. No.—Q. Do you know what became of the other 2000*l.*? A. Yes, most of it, indeed all of it, was paid in law expenses, the 3000*l.*; it cost me that, or thereabouts, you know; it is many years ago now.—Q. In 1846? A. In 1846.—Q. Did they send you an account of those law expenses? A. They showed me an account.—Q. They showed me a paper the other day—I do not know whether that is the one they showed you—in which the sum was, I think it was between 600*l.* and 700*l.* only. It was an account that was sent to you; there was a list of witnesses at the side, and an abstract of the payments at the end. Do you remember that being shown to you ever? A. Yes, he always brings every account of any monies he has had.—Q. Who always does? A. Mr. Haynes.—Q. Have you confidence in him? A. The most implicit confidence.—Q. Do you remember when you first saw him? A. Remember when I first saw him—what?—Q. How came you to be acquainted with him? A. In the regular routine of things. I met him. I was introduced to him by some friends that I had.—Q. Do you know who they were—I am talking of Mr. Haynes, you know? A. I know.—Q. It is some years ago? A. It is a good many years ago?—Q. Before 1846? A. When I got acquainted with him? You know I visited him. I was introduced, regularly introduced.—Q. To Mr. Haynes? A. To Mr. Haynes.—Q. Where did he live then? A. He lived where we are now.—Q. In this house? A. In this house.—Q. Did he sell you this house? did you buy it of him? A. I bought it of him.—Q. He can tell us, though you cannot, what is the mortgage upon it? A. He can tell you.—Q. But you cannot recollect when you first saw him, or how you became acquainted with him? A. I was brought up to his house by some friends, I think, and I spent the evening here.—Q. Do you remember who it was who brought you here? A. Yes, I do remember.—Q. Who were they? A. I did not know that I was obliged to.—Q. I will not oblige you to say anything that you do not like; but still, these gentlemen suggest that I should put questions to you, and they will draw their own inference if you do not answer them; but, at the same time, I am bound to inform you that you are not compelled to answer any question which is disagreeable to you. Do you think you knew him before or after 1846? A. It was after my husband died that I met him.—Q. You did not know him till after Mr. Cumming died? A. No.—Q. Who was your solicitor in Mr. Cumming's lifetime, do you remember? A. Why, Mr. Stone was my solicitor. He is dead now.—Q. Was not Mr. Dangerfield? A. Never.—Q. Was he not concerned for you? A. He never was; never as my solicitor, but he has done business for me as solicitor, because Mr. Stone unfortunately died, and my silver plate, and my deeds, and all my papers were transferred over to Mr. Dangerfield.—Q. Do you remember when it was that Mr. Stone died? A. Some years ago, now.—Q. And you think it was handed

over from Mr. Stone to Mr. Dangerfield? A. I do not think it, I speak positively of it. — Q. In consequence of Mr. Stone's death? A. In consequence of Mr. Stone's death. — Q. Mr. Cumming was alive then? A. Yes, he must have been. — Q. Did not Mr. Dangerfield look after some property for you at Newport, and appoint an agent for you down there? A. No, he did not. — Q. Was not Mr. Hawkins once an agent? A. Yes, he was. — Q. You dismissed him? A. I had just reason to do so. — Q. Then Mr. Dangerfield? A. Was acting, you know, for Mr. Stone; at least he could not act for him, because Mr. Stone was dead. — Q. But you saw him and let him act for you? A. Yes. — Q. Do you remember a report he made that was sent to you of the property in the neighbourhood of Newport? A. I have not read it. — Q. Do you remember seeing a report of that kind made by his brother? A. It might be by his brother; he never was my solicitor originally.

A JURYMAN.—Would you allow the ladies to retire, and let Mrs. Cumming be alone in the room with us?

The COMMISSIONER (addressing Mrs. Cumming).—You do not mind their going away? I will take care of you; if you want anything let me know—Dr. Caldwell is here. [Two females who had been present up to this time retired.]

A JURYMAN.—I would rather the ladies left the room, because I saw one of the ladies looking at her.

Mrs. CUMMING.—They were not making any motions to me to teach me what to say; they are in a rank in society above that.

The COMMISSIONER.—No; only if they are out of the way they cannot be accused of it, you know. I always like to prevent the possibility of there being any mistake. — Q. You cannot tell how Mr. Haynes has applied these sums of 2000*l.*, 2000*l.*, and 3000*l.*, can you? A. Yes. — Q. Has he bought any other property with it? A. He has paid a great many law expenses for me, and I have had something to live on, for I have nothing but my income. I am in no way of business at all. — Q. What is the income of this property that you have in Wales? A. You will excuse me for not answering that question—it is not out of any disrespect to you, Mr. Commissioner Barlow. — Q. You get money from time to time. How have you, for the last two or three years, been receiving your rents? A. In the regular way that any other person would—through agents. — Q. Who has been your agent—Mr. Haynes? A. Sometimes he has, and sometimes he has not. — Q. Was Mr. Thorne ever employed? A. No, never; for I would not trust Mr. Thorne to cross that table. — Q. You knew nothing about him? A. No; but I know too much about him. — Q. What has he done—in what way has he ever offended you? Did he not attend to your business? A. I was going to put my business into his hands, but I thought, after the little I saw of him, the wisest way was not to trust him any more. — Q. In what way did he give you personal offence? A. Why, sir, I asked him to call upon Mr. Haynes and ask him for some money, not being aware at that time that Mr. Robert Haynes had not received the money, which would have accounted for it, and I could get no satisfactory answer, and then I asked Mrs. Hutchinson's husband to be kind enough to call upon him and see him personally. — Q. To see Mr. Haynes? A. To see Mr. Haynes personally, which he did; and I have an answer—a satisfactory one, and he showed the accounts between us, you know. — Q. Mr. Haynes did? A. Mr. Haynes did to Mr. Hutchinson. — Q. But did he show them to Mr. Thorne, do you think? A. I do not think he did; I cannot tell. — Q. You applied to Mr. Haynes for his accounts, and he sent you a copy of them? A. He kept a copy. — Q. Did you send that to Mr. Thorne? A. No. Mr. Thorne took the papers himself, with a will. — Q. I will speak to you about that presently. Did you not send Mr. Haynes' account on to Mr. Thorne? A. No. — Q. Mr. Haynes told you he had sent you an account of his receipts to some particular year (I may be wrong); and did you not send that on to Mr. Thorne? A. The receipts to Mr. Thorne? — Q. No, the accounts to Mr. Thorne? A. No. — Q. You did not send it on, you think, to Mr. Thorne? A. No. — Q. Because Mr. Thorne produced this, and said he received it from you? A. I dare say he said so. — Q. With a letter from you to him (Thorne); you do not remember anything about it? A. I remember sending him a letter telling him I declined any more of his interference. — Q. He never sent you any bill of costs? A. I do not know what it could be for. — Q. This (referring to a paper) is an account which it seems you forwarded to Mr. Thorne, and I was going to ask you about one or two figures in it. Do you remember sending it on to Mr. Thorne? A. I do not remember anything of the kind; he has had it, perhaps, from Mr. Robert Haynes. — Q. No, he says he had it from you—you do

not recollect it? A. No, I do not recollect it. — Q. Do you remember writing to Mr. Thorne? A. I remember writing to him—I declined his services. — Q. Do not you recollect any other letter? A. He took the will and several other papers away with him. — Q. When you wrote letters to Mr. Thorne did you write them yourself, or did anybody write them for you? A. I wrote them myself. — Q. Are you in the habit of writing letters yourself, or do you get your friends to write them for you? A. No; I do not get my friends to write them for me. — Q. Do you not get people to write letters for you and then sign them yourself? A. I may have done so sometimes. — Q. I see there is a sum here of 79*l.*, which I understand you say you never received; do you remember anything about that? A. Seventy-nine pounds which I never received from Mr. Robert Haynes? — Q. Yes. — A. He sent it over to me. — Q. Did you get it? A. I got it. — Q. Was it not sent by the coachman? A. It was brought by the coachman. — Q. Do you remember in what shape it was—was it a cheque, or bank note, or gold, or silver?

A JURYMAN (addressing Mrs. Cumming).—May I poke the fire—I am afraid it will go out?

Mrs. CUMMING.—If you please.

The COMMISSIONER.—He has not known you for seven years, but still I suppose he may do it?

Mrs. CUMMING.—If he will take the trouble.

The COMMISSIONER.—You had that 79*l.*? A. Yes. — Q. There seems to be some doubt whether you had it yourself—whether it got safe to you? A. Yes; I received it from the coachman. — Q. Do you know whether it was in notes, or what? A. In notes, I think. — Q. Did you not tell Mr. Thorne that you never had received it? A. I had not received it then. — Q. Not when you saw Mr. Thorne? A. No. — Q. Can you tell us when you did receive it? A. Oh, after that. — Q. It is a large sum to have received through a coachman. I should not like to trust my coachman with 79*l.*; but you are more liberal with your people—you think you had not received it at this time? A. I did receive it. — Q. Can you tell us when? A. No; I really do not know. — Q. You cannot recollect about when it was you received it? A. I suppose it was about nearly the time I received some of my rents; I should think so, but not being aware that I was to be called to account about my own property, I certainly have not a memorandum of it. — Q. I will tell you why I ask. We have been told that you have seen this account, and that you told Mr. Thorne you never received it; but now you seem to intimate—I do not know whether rightly or not—that you received it afterwards. A. Afterwards. — Q. After when—after this account was delivered? A. Did Thorne tell you that I gave him this? — Q. Yes, he did. A. Then he told a falsity. — Q. I will tell you what Mr. Thorne said—that he received a letter from you—signed by you; I do not remember the date, enclosing this, and that he then went to Mr. Haynes, and asked for an explanation as to the 79*l.* A. Yes. — Q. When you sent that to Thorne had you received that 79*l.*? A. If I had received it I should not have named it. I need not have applied to Mr. Thorne for money if I had received that sum, because it would have lasted me some little time if I had received a sum as large as that, you know. — Q. What kind of sums has Mr. Haynes paid you from time to time—does he pay them to you in large sums or small? A. Sometimes large and sometimes small. — Q. What is the general amount of the sums he pays you—does he pay the rents over to you or to your banker, on your account? A. He gives me money. — Q. You have a banker's account, have you? A. Yes, I have. — Q. Does he never make any transfer into your banker's account, because that is a more convenient way? A. He did down in Wales, but that man has broke. — Q. Who has broken? A. Williams, the banker. — Q. Broke lately. A. Yes, not long ago.

A JURYMAN (to Mrs. Cumming).—There are no coals; may I ring for some?

Mrs. CUMMING.—Yes, if you will take the trouble to ring.

A JURYMAN.—This bell rings?

Mrs. CUMMING.—Yes, both of them.

(A bell is rung and a man servant enters).

Mrs. CUMMING.—Some coals, George.

(The man puts some coals on the fire.)

Mrs. CUMMING.—Have you got a wheel there? The fire has got so very low, that I wanted him to bring a wheel.

The COMMISSIONER.—You do not generally sit in this room, do you—you usually sit upstairs? A. No, but I have a fire in it. — Q. You generally sit in the room up-

stairs? A. When I am not able to come down.—Q. Are your cats there now? A. No.—Q. Are they in the kitchen? A. I suppose they are; I very seldom go into the kitchen.—Q. When did they cease to live upstairs? A. Sir, they never lived upstairs—never; and whoever told you that, told you a gross falsity.—Q. Did they not live in your bedroom very much? A. They came up and down to have their meals, and then they were sent down again.—Q. Did they only come up for their meals? A. Yes, exactly so.—Q. Do you not remember, when the inventory was being taken of this house, some moisture having come through the ceiling? A. Not from the cats?—Q. From something else. A. The servants can best account for that.—Q. Was Mary Anne Hickey here, the little girl, at that time? A. She never lived with me as a servant; she only came with her mother.—Q. Did she not come here to reside? A. Yes.—Q. You paid her no wages, did you? A. Yes, I paid her wages.—Q. What did she come here for? A. To help occasionally the servant.—Q. Did she read the newspaper to you? A. Yes.—Q. And looked after these cats, for which you seemed to have some affection? A. No, she never looked after the cats, for I would not have trusted her.—Q. Do you remember that evening when something came through the ceiling, and you sent her up stairs to look at it. (No answer).—Q. You went away from here some time ago, and since that you have been at Brighton. Before you quitted this house had you no cats in your bedroom? A. Never; not always.—Q. Were they there at night? A. No, only now and then coming backwards and forwards when the servant left the door open; the cats would naturally come up.—Q. But you did not wish them to go up? A. No.—Q. They did not dwell there night and day? A. No.—Q. You don't remember about this 79*l*.—you think you had it? A. I know I had it.—Q. Can you tell me when? A. I certainly did not make a memorandum of it, because I was not aware that I should have been called to account by any one as to what I had done with my own money.—Q. But you had it through the coachman? A. Yes, I had it through the coachman.—Q. This (referring to a paper) is an order in Chancery in a suit in 1848 about some money being paid to Mrs. Hooper, and in another part being paid Mr. and Mrs. Ince, and I see, at the end of it, there was an order for a sum of 2000*l*. You may read it if you like. I do not know that you ever saw that paper before? A. No.—Q. The 2000*l*., by an order on the petition of the railway company, was to be paid to the credit of the cause—should be paid to the defendant, Catherine Cumming, and that the purchase money payable by the Newport Waterworks Company should also be paid to her. That is why I asked you about the railway company.—Do you think you sold property to the amount of as much as 2000*l*? A. There was one for 3000*l*. and another for 3000*l*., that is 6000*l*.—Q. And what was the other? A. And there were two small farms that were sold.—Q. That is a different thing. I am going to take the liberty of asking you about that presently. There was some sold to the Waterworks Company. A. I sold that for them to do as they liked with.—Q. They have the right to take it from you, under the act of parliament—you could not help yourself?—A. Not that property, but what was taken for the railway was under the act of parliament.—Q. What did you get for that which you sold to the Waterworks Company? A. That was about 1000*l*., I think.—Q. Do you think it was that precise sum, or thereabouts? A. Thereabouts.—Q. It is not often so convenient as to be a round sum, but was it 1000*l*. or 1000*l*. odd? A. The whole put together was about 6000*l*.—not for that one estate.—Q. Not for the Waterworks Company? A. No, there was some property sold down near Bassaleg.—Q. We have heard of Sir Charles Morgan and Bailey. A. That is the railroad—that is some time ago.—Q. I understood you to say you had sold some property to the Water Company? A. I must recollect.—Q. And you also sold some property to the Railway Company? A. Yes, I was obliged to do so.—Q. We will confine ourselves at this moment to those two sales. Do you know what you got from the Waterworks Company? I got about 1000*l*., I think, or thereabouts.—Q. Now, then, from the Railway Company—you tell us there were two sales there. Do you know what each of them were? A. Two or three, I think.—Q. Do you remember what the figure was that you were to have from the Railway Company? A. 2000*l*., I think.—Q. Was it 2000*l*. for the whole or 2000*l*. for each? A. Not 2000*l*. for each, but 9000*l*. I think it was altogether.—Q. 9000*l*. altogether? A. Yes, for the three or four properties.—Q. We are told that you sold some of it to Sir Charles Morgan and Mr. Bailey? A. Yes, that was the Railway Company.—Q. I think not; I may be wrong. We are told you sold a bit, which is about a mile and a half from Newport or two miles, to Sir Charles Morgan. Do you remember anything about that? A. Yes, I

remember it perfectly well. — Q. Do you remember selling any either to Sir Charles Morgan or Mr. Bailey? A. Through the medium of my attorney. — Q. Mr. Haynes? A. Yes. — Q. Can you tell the sum at all that you were to get for it—you do not remember, do you? A. I do remember perfectly well, but I do not know that any one has a right to ask me these questions, because I am mistress of my own property, and it is not a common-place thing in the world to have your children to call you to account. — Q. I will not press you to answer, but these gentlemen are on their oaths, and I am bound to ask you the questions which they suggest.

A JURYMAN.—Do you think she understands the position we are in.

The COMMISSIONER.—These gentlemen are under the order of the Lord Chancellor: they are summoned here. — A. To see my competency to answer their questions. — Q. Your competency to take care of your property, or whether some person should not look after you and your property; take care of you, and see that you are not imposed upon as to your health or property; that really is the object of these gentlemen. A. That I am not? — Q. They have not formed an opinion yet. I can give no more than suggest to you the propriety of answering the questions which are put to you. Your counsel, who are here, will check me if I do anything improper.

A JURYMAN.—That was the reason why I asked the ladies to leave the room, that you might speak more freely.

Mrs. CUMMING.—I am under no intimidation at all from them, because they are intimate friends.

FOREMAN.—Your courtesy is very proper.

The COMMISSIONER.—Have you executed any conveyances of these properties? have you signed any deeds? A. Of course, they could not have the property if I had not. — Q. Who brought in those deeds? who was your solicitor? A. Mr. Robert Haynes. — Q. Has Mr. Robert Haynes given you an account of all his receipts and payments to a recent time? A. Yes, he has. — Q. You would not like to show it to me? A. No. I would not mind showing it to you, or these gentlemen, but there is another party that I would not wish it to be known to. — Q. You say that a considerable part of the sums produced by these sales has been expended in law expenses? A. Exactly. — Q. Have they sent you a bill of those law expenses? A. About four or five thousand pounds or thereabouts. I do not tell you what I have had to live upon, because I had no other income but from my property. — Q. I want to see what has become of this which you told me just now was 9000*l*., but which you and I, adding them up together, made only 7000*l*.. You told me that the greater part has gone in law expenses? A. And so it has. — Q. Has Mr. Haynes ever sent you an account, because they are bound to give you a written account? A. Yes, he has; at least his brother did. — Q. Who is his brother? I did not know that he had a brother? A. Oh, yes, he has. There is Carlton and Haynes, besides. — Q. Carlton and Haynes have been your solicitors also? A. No, they were all at the same time. — Q. Do you have two sets of solicitors at the same time? A. My daughters, as I am forced to call them.—I was forced to raise money to go on. — Q. Why did your daughters force you to raise money to go on? A. Because I was forced to pay my lawyer's expenses. — Q. And you think these amounted to three or four thousand pounds? A. Yes; that is speaking within bounds. — Q. And have you had an account of all that? A. Yes. — Q. I do not know what it ought to be. I have no means of knowing. — Q. Who has been in the habit of hiring your servants from time to time? A. Myself. — Q. Do you get characters with them, for you seem to have been rather unlucky with your servants? A. I was very unlucky when Mr. John Ince used to send me servants—very unlucky. — Q. When did he send you servants? A. A good many times. — Q. When? A. Some years ago. — Q. Has he sent you any since I had the pleasure of seeing you at the Horns Tavern? A. Not to my knowledge. — Q. Has he sent any that you took in consequence of his sending them here? A. No, not exactly; he has sent them here to me without my knowing they were sent by him. — Q. You heard so afterwards? A. I did. — Q. Were they sent by Mr. Ince or Mrs. Ince? A. Mr. Ince. — Q. Not Mrs. Ince? A. Not that I know of. — Q. What makes you think that Mr. Ince sent you the servants? A. To suit his own convenience. — Q. If he sent them, he sent them for some purpose. But what makes you think the same from him more than from me? A. Because I do not think you would have done such a dirty trick. — Q. Why do you think he would do a dirty trick? A. Because he is accustomed to do dirty tricks. — Q. I do not like to condemn a man without cause? A. I do not like to ask you to condemn him. — Q. Could you tell me one or two dirty

tricks he has done? A. In taking Captain Cumming away from his own house; he got him there, and took his writing desk, and overhauled all his papers, when the man was not fit to be removed. — Q. He took his writing desk with him? A. Yes, in a hackney coach. — Q. There were hackney coaches in those days; they are abolished now. Is there anything else you have to say against Mr. Ince? A. No, nothing worth mentioning. — Q. But you have had other things against him? A. Yes, a good many other things. — Q. Will you allow me to judge of them as well as yourself? Could you tell me one or two more? (No answer.) — Q. You could not show me any of Mr. Haynes' previous accounts before this one, which I hold in my hand? A. I should not like to do so unless Mr. Haynes were here. — Q. I will not press you. A. Because I think it would be very unladylike in me to do so. — Q. They are your own; you are quite at liberty to act without reference to Mr. Haynes. Mr. Haynes has no business to stop you from showing them if you like? A. He would show them himself if you wished. — Q. He formerly lived here, I understand? A. Yes. — Q. Now he is living at a short distance from you? A. Yes. — Q. He formerly lived here? A. Yes. — Q. Is his a better house than this? A. Yes, it is a larger house; but this is large enough for me. — Q. Have you ever said that Mr. Haynes is living in his present house on your money? A. No, but I have been told that others have said so; and amongst others, Catherine Ince has told every one about the neighbourhood that I am kept a prisoner, and that Mr. Robert Haynes is living upon my property. — Q. All the people here have that impression? A. I do not say they all have that impression. — Q. But Catherine Ince has told the people so? A. Yes. — Q. When I last had the pleasure of seeing you I was obliged to be very impertinent, and talked to you a good deal, but there was an arrangement come to. I don't ask you whether you were satisfied with the arrangement, but I speak to you about your solicitor and counsel at that time. Do you remember the purport of an arrangement? A. I remember that the property was my own, wholly and solely, to do what I liked with it. I believe that is correct, Sir. — Q. I must not give an opinion about that, but there was an arrangement made. Do you know why it was not carried out? A. Because I have no right to do it. I have the property in my own hands, and of course I would not, as I said at the office, consent to give up a whole loaf and take half. — Q. But were you not a free agent when you entered into that arrangement? A. I was brought there for the purpose of inquiring into my capacity, and whether I knew how to manage my affairs. — Q. And your solicitor and counsel entered into the same arrangement. I will not tell you whether in my opinion it was right or wrong, unless you ask me. If you did, I do not know that I should hesitate to give an opinion. But the arrangement was entered into? A. Yes. — Q. You were a free agent to enter into it? A. I was taken back to the madhouse, and so I could not be a free agent. — Q. Were you taken back to the madhouse? A. Yes, I was taken back again. — Q. The last day? A. It was the last day; but I believe you were the gentleman. — Q. I was. What was done with you afterwards, because you ought not to have been taken back, and my impression was, that you were not taken back. Do you remember where you went to on that day when we separated? A. I went to Mrs. Hutchinson's. — Q. Somewhere near Vauxhall Bridge? A. Yes. — Q. Do you know where you went to after that? A. I believe I went to Camberwell. — Q. And then you came here? A. And then I came here. — Q. That is what you think is the case? A. I am certain it was the case. — Q. To Mrs. Hutchinson's, near Vauxhall Bridge? A. Yes. — Q. And then you came here? A. No; I went to Camberwell. I had a small house at Camberwell, and there I remained till I was persecuted there again by my daughters. — Q. In what way did your daughters persecute you at Camberwell? A. By coming and intruding themselves always upon me. — Q. Can you give me an instance of what you mean by intruding upon you more than coming to your house? A. Yes, going about the neighbourhood and trying to injure my character, when I was at Camberwell. At the time I first came I was treated with every respect by the tradespeople, but after they had been there I found very different conduct, and I call that very injurious to any one. — Q. When you came here did you remain here some time? A. Yes, I am living here now. — Q. But you have been away in the interval? A. Yes, but I was not tied up to one place. I suppose many gentlemen and ladies do the same as me. — Q. Where did you go to next? A. I went to Worthing. — Q. No, I think you went to an intermediate place. Did you not go to Maiden Vale West, Howley Villa? A. I went there; I did not stay long. — Q. What made you go away from here? A. I do not know; nothing particular. I tell you my daughters were

eternally persecuting me.—Q. Was that your reason for going away from here? A. Yes.—Q. That your daughters bothered you here? A. Yes, and everywhere I went to.—Q. Did they come to you at Maida Vale West? A. Yes.—Q. Did they interfere with your neighbours here and there too? A. Yes, they did, here and there too.—Q. In Camberwell they got you in bad repute? A. Yes, they gave me the character that I did not pay any one; and that in London you know is very injurious.—Q. That was the reason why, you think, you went to Maida Vale? A. Yes.—Q. Now you have been back here some time, have they been doing the same thing lately here? A. They have called here.—Q. Since you have been here this time? A. I do not think they have. To tell you the truth, I do not think they have.—Q. When you were here, you went away a short time. Before you went away, they tell us some policemen came into the house one night? A. Yes, the house was full of policemen.—Q. I am in error, it was the other house. I am afraid I have misled you. I am given to error sometimes? A. Yes, but you are not called to account for it as I am.—Q. Yes, I am; and rather roughly sometimes. Now, at Maida Vale West do you remember the policemen coming in? A. Yes, I have reason to remember it.—Q. They say you were at the window? A. I could not get up to the window, it was too high. I could not lift the hasp of the window to open it.—Q. What made the policemen come in then? A. They were called in.—Q. Called in by the servants? A. Yes, they were sleeping in the house, and two navigators there.—Q. Do you mean the policemen were sleeping in the house? A. Yes, they were; the servants had them in every night.—Q. I do not want to doubt your word, but what makes you think these policemen were sleeping in the house? A. I am certain of it.—Q. Every night? A. I cannot exactly say every night; they were there frequently.—Q. Had you not respectable servants at that time? A. I thought they were.—Q. The coachman, was not he a respectable man? A. He did not sleep in the house then.—Q. Was he in the house that night? A. No, he was not in the house that night; he slept over the stables where the horses were.—Q. But he came in, and you saw him that night? A. But this was almost every night that they were there, and two navigators as well.—Q. And the policemen? A. Yes.—Q. Do you mean the same policemen that came in that night, or merely policemen generally? A. I cannot tell you that, for I was up in my room, and very ill.—Q. Did you not cry out at the window at all before the policemen came into your bed-room? A. I called out when the woman, Mary Hickey, I think her name was; no, Mary Rainy.

The COMMISSIONER.—You cried out when she did what? A. When she was going to confine me with a strait waistcoat.—Q. Had she a strait waistcoat then? A. She made my shawl up as a strait waistcoat.—Q. What kind of shawl was it? A. It was a shawl. Mr. Haynes had the shawl to show to any one.—Q. Was it a green one? A. No, a white one.—Q. Was not there any colour in it at all? A. No, only dirt, if there was any colour at all.

A JURYMAN.—Was it a mottled worsted one? A. Yes.—Q. Was it one of your own making? A. No, it was not—it was a bought one.

The COMMISSIONER.—This is your own house? A. Yes.—Q. But you do not wish to tell us exactly what you gave for it? A. You will excuse me that.—Q. Is the furniture your own? A. All my own.—Q. You bought it, everything as it is? A. No, not exactly so. I bought it, furniture and all; but there are a good many things I have put in myself.—Q. You tell me the cats were not in your bed-room always? A. No, they have come up and down.—Q. Are they in your house now? A. No, not all of them.—Q. Had you any at Brighton? A. No.—Q. Did you take the cats to Brighton at all? A. Yes, I did.—Q. We are told there were four or five? A. Ah, yes, seven, or eight, or ten; I dare say you were told.—Q. Now, the navigators: do you know who they were who were in the house? A. No, I do not.—Q. Who told you they were there; for I should like to inquire a little into that? A. It is necessary to inquire into it.—Q. It is not long ago, you know—it was last winter. A. Yes, it was.—Q. You took the house, I think, of Sir Matthew Wyatt? A. Yes.—Q. And there was a paper signed in his presence? A. Yes, Thorne, he went up to the office, and got the paper signed for and against, for one side and for the other. He is an old friend of Sir Matthew Wyatt's.—Q. But you were employing him at that time? A. Yes, but I did not know what the intimacy was between them at that time.—Q. Did you ever see Sir Matthew before? A. Before when?—Q. Before you went to take the house? A. No, I did not.—Q. You went to his house, I think, once? A. Once I went, but he was very poorly; at least, he had company there; there was a

frivolous excuse made. — Q. And then he came to your own house, and signed the agreement? A. I think he signed the agreement up at the office. — Q. At whose office, Mr. Thorne's office? A. Mr. Thorne's office. — Q. You think you signed it there? A. No, I did not. — Q. You think he signed it there? A. I think so; he was on very intimate terms with Sir Matthew. — Q. Were not Mr. Thorne, and you, and Sir Matthew, at the Villa when you signed it? A. He was at my villa then, but he was in the habit of going frequently to Sir Matthew's. — Q. You do not read the newspaper, do you? You did not see a letter that Sir Matthew put into the newspaper yesterday, did you? A. I have seen Sir Matthew's name in the newspaper. — Q. Did he pay you any particular attention? A. Me? — Q. Yes? A. What should he for? — Q. Because I was told that you thought him a very courteous man. Do you know that he is a married man? A. I do not know what he is, and do not care. — Q. Did he ever send you any game? A. He never sent me any, unless he has sent it to my servants, and that I cannot tell. — Q. You mentioned a little while ago, something about a will, and that Mr. Thorne had it? A. Yes, so he had. — Q. I am going to ask a still more impertinent question than I did before. Have you ever made a will? A. I did. — Q. When, do you know? A. The time I thought I was dying. — Q. When was that? A. After I had been at the madhouse. — Q. Since 1846—since you saw me? A. Yes. — Q. Can you tell me when about it was, when you made it? A. These things are so long ago, and never feeling in my own breast that any one would have a right to call me to account. — Q. You are of a certain age; you cannot tell about when it was—who made it for you? A. Mr. Robert Haynes. — Q. He made it? A. He made it, by my dictating it to him. — Q. You executed it—did you ever sign that will? A. No, it was not signed. — Q. You do not think it was ever signed? A. I do not think it, but I know it. — Q. You dictated it to Mr. Haynes what you wished it to be? This paper was handed to us as a paper which was handed over by you to Mr. Thorne. Do you remember whether this was the paper? A. I never gave it to Mr. Thorne. — Q. I thought you gave it to Mr. Thorne? A. No; I never had such an opinion of him, after seeing him once or twice. — Q. Very likely I am wrong. I believe I am. But in that paper, in the will you so directed Mr. Haynes to draw up, do you know to whom? You had not signed it, and therefore there is not the same delicacy in asking the question—do you know to whom you gave your money principally? A. Yes. — Q. To whom—was Mr. Haynes to have any? A. He was to have some of it. — Q. Do you remember how much? A. There was some to him, and some to his wife. — Q. And to anybody else connected with him? A. At the time I was extremely ill, when it was done—very, sir. — Q. And you cannot tell me when it was? A. I think it was when I was down at Vauxhall. — Q. Do you mean while you were living with Mr. Hutchinson? A. Yes. — Q. Directly after I had the pleasure of seeing you? A. Yes. — Q. And you told him to make it? A. I did. — Q. Was anybody present? A. No, there was not; there was a witness to it, you know. — Q. But you never signed it? A. I never signed it. — Q. Was anybody present when you told him what your wishes were? A. No, only him and me. — Q. Now, I am going to ask you another impertinent question, behind his back, but I must ask it. Did he make any objection to it? A. No, he did not; not to my knowledge. I do not know what he did behind my back. — Q. You told him to make the will; and when you gave him instructions about it, there was nobody present but you and him. Then I ask, in fairness to you, whether he made any remonstrance about the way in which you were disposing of your property? A. No; he put me little questions to me as he possibly could; for he saw I was such an invalid, that I was not able to answer him. — Q. Did he ask you whether you wished to leave anything to your own family? A. No, he said nothing. — Q. Did he express any wish that you should not insert his name in the will? A. No. — Q. You do not remember that? A. No. — Q. I will not trouble you to read this, because it is a long avowment; but the result of this is to give a considerable sum.

A JURYMAN.—How much?

THE COMMISSIONER.—Do you remember how much you were to give to Mrs. Haynes? Some, you say, to Mr. Haynes, and some to Mrs. Haynes? A. But that is gone now, you know; that is burnt, that will is. — Q. But when you gave Mr. Haynes, at the Gas Works, at Vauxhall, directions to make the will, do you remember how much you had given him? A. That I cannot tell exactly, without referring to it. — Q. You say that you burnt the will itself? A. I burnt it. — Q. Did you ever sign it? A. No. — Q. Have you ever made any other will since 1846? A. No, I have not. — Q. Then

you cannot tell us at all what figure you ascertained for Mr. Haynes or Mrs. Haynes? A. No.—Q. Or the children? There was some for Mrs. Haynes' children, was there not? A. I believe so, but it is totally out of my memory.

A JURYMAN.—Was there anything to take concerning Mrs. Hutchinson? A. No, I don't think.—Q. Do you remember whether you told him to give anything to Mr. or Mrs. Hutchinson? No, I do not recollect it.—Q. Or to Miss Hunt, who, we were told, was kind and attentive to you? A. Yes, there was something to her, but that is all obliterated—it is burnt.—Q. Did you ever sign it before it was burnt? A. No, I never did.

A JURYMAN.—Is there any will in existence now? A. No, none.

THE COMMISSIONER.—No written document at all? A. No.

A JURYMAN.—Did she know anything of her father's will?

THE COMMISSIONER.—Have you any recollection of your father's disposition of his property? I may ask you that, because that is a public document. Do you recollect? A. I could not take the liberty of asking about it.—Q. But your father is dead, and he left a will, which I may read in Doctors Commons, upon the payment of a shilling, I can go and see it? A. I know you can.—Q. Do you know the contents of his will at all, because you were interested in it? A. Yes; but I do not know that any one else is interested in it.—Q. If I am told rightly, your daughters were interested in it? A. No, sir.—Q. I tell you fairly that I have not read it, but I am told that your daughters are interested in it? A. No.—Q. I am told that it was not a great deal that was left under that will? A. Not a great deal.—Q. We may differ about what is a great deal. From this, I should say it was between two and three thousand pounds? A. Do they say that that was all my father's property?—Q. I do not know that it is; but it appears that there is a sum of 2,800*l.* and odd, which is directed to be paid, the income of which is directed to be paid in moieties to Mrs. Hooper and the Inces. Do you remember the contents of your father's will? A. No, I do not; but I know that is a falsity, whoever put it in, because that was not my father's will.—Q. Did not your father leave some of the property to you for life, and then to your two children? A. He does not mention the children in the will.—Q. He does not? A. No, he does not. He leaves it to me wholly and solely, and that it should not be liable to my husband's debts.

Dr. Caldwell (To the Commissioner). I think, sir, she has been long enough under examination. I think she is somewhat confused.

Mr. PETERSBURG.—I do not think she is too fatigued.

THE COMMISSIONER.—In 1848, you must have had your attention drawn to your father's will. Do you remember a chancery suit in 1848? A. What chancery suit?—Q. A suit about your father's property? A. Yes, but I did not know anything about it. I did not take the liberty of asking my father.

THE COMMISSIONER.—He was dead in 1848—was he not? A. He died after he had made a will.—Q. He was not alive when I had the pleasure of seeing you at the Horns Tavern? A. No; if he had been alive, I never should have been taken there. He never would have suffered his grandchildren to treat their mother as they have treated me.—Q. You went from Maida Vale West to the Edgware Road—did you not? A. Yes; to Sir Matthew Wyatt's house.—Q. That was Howley Villa—Sir Matthew Wyatt's? A. Yes.—Q. Where did you go when you went from Sir Matthew Wyatt's house? A. I went down to Worthing.—Q. I think there was an intermediate place? A. On the road side there was a little place.—Q. Was it the Edgware Road—do you remember being in the Edgware Road? A. That place you allude to was not in the Edgware Road, it was many miles from London—a good many miles from London.—Q. I think you went from Maida Vale West, from Howley Villa to Stamford Street? A. Yes.—Q. Who lived there? A. Mr. and Mrs. Hutchinson.—Q. From there, did you not go to the Edgware Road? A. Yes, I did; but I was hunted from there by my daughters.—Q. From Stamford Street, you were again hunted away? A. Yes, I was.—Q. Could not Mr. and Mrs. Hutchinson prevent your being hunted? A. Yes; and so they did until their house was broken into, and that fellow, Ebenezer Jones.—Q. I was going to ask you a question about him presently—have you seen him? A. I saw him in 1848.—Q. You know he was one of the witnesses there? A. Exactly—won't you.—Q. You and I cross-examine one another: I wanted to know about a little transaction that took place in the Edgware Road, about a year ago, was it not—whose house were you in there—do you remember the name of the person?

A JURYMAN.—Oh! did.

THE COMMISSIONER.—Mrs. Oldfield? A. Mr. Oldfield and Mrs. Oldfield.—Q. Who took that house for you? A. I went there, and took it myself.—Q. Were you mistress of the house? A. No.—Q. They were lodgings—do you remember what rooms you had there? A. Yes, perfectly well.—Q. What were they? A. A drawing-room and bed-room.—Q. Did not Mrs. Ince come and see you there? A. Yes, she did come and see me there—she pushed the servant almost down stairs to pounce upon me.—Q. Do you remember how often she came? A. Yes, three or four times.—Q. Do you remember what time of the day it was? A. It was when I was taking my lunch.—Q. Did you say the lunch was very cold? A. Had I got a cold?—Q. Did you say the lunch that was on the table had got cold, and that you could not help yourself to it? A. No, never: if anybody says I said so, they have told a falsehood, and I would tell them so to their face.—Q. If Mrs. Ince said it? A. Mrs. Ince is very capable, I am sorry to say, of saying anything but the truth.—Q. I want to speak to you a little about Mrs. Ince presently? A. The less the better, if you please.—Q. I do not like to touch upon that, because I was told it was a delicate subject, but you will excuse me, presently, if I ask you one or two questions—she saw you one day, and then came the following day—did she not? A. She was continually there.—Q. Did you see her, do you think, more than twice there? A. No, I did not.—Q. Do you remember how long she stayed the first time she came? A. I could see her in the street, through the window of my drawing-room, surrounded by policemen, and a set of vagabonds round her pointing to the house—that is lady-like conduct.—Q. Are you quite sure you saw policemen about her? A. Yes; I saw her speaking to the policemen.—Q. Who do you mean by vagabonds? A. Not very respectable looking people.—Q. Are you quite sure it was her? A. Yes, I am sure it was her.—Q. Was it once, or more than once? A. More than once—several times.—Q. The first day she was two or three hours, was she not? A. I had no watch to look at.—Q. Did she dine with you? A. No; she never dined with me.—Q. Her drank tea? A. No; I did not ask her to tea—she came when I was taking my lunch.—Q. And she stayed there? A. Yes.—Q. Some hours? A. Yes.—Q. Was Mr. Haynes there too? A. No, he was not first of all, but he was called afterwards.—Q. Did you send for him? A. I sent for him, and I sent for Mrs. Oldfield, and Mr. Oldfield came.—Q. Then Mrs. Ince called on you a third day, she tells us, whether truly or not, I cannot pretend to say? A. I cannot tell.—Q. Did you forbid her coming in again? A. I was displeased at her intruding herself upon me on those two occasions. I never saw her afterwards.—Q. Do you remember forbidding her to come in? A. She did not say she was coming in; she bolted in upon me, and put her arms round my neck.—Q. It was upon that occasion? A. That was the occasion when the proceedings were going on against me in court; issued out by Mr. John Ince, her husband.—Q. Did you expect her to come the following day? A. No, she was quite unexpected; she brushed up, and nearly pushed the servant down stairs.—Q. Did you give any notice that if she did come, she was not to be admitted? A. After obtruding herself upon me as she did.—Q. Do you remember signing a memorandum, forbidding her to come in, and that there was a chain to the door? A. Yes, because she obtruded herself upon me, and kicked up such a row that it made the house quite scandalous.—Q. In the house? A. In the house, and out of the house, and Mrs. Hooper was along with her.—Q. Was Mrs. Hooper in the house? A. I do not know.—Q. Was Mrs. Hooper in the house in your presence? A. Never.—Q. Now, as to Mrs. Ince herself, I think, from what you tell me, that you do not seem to have a very good opinion of her? A. I have not a good opinion of her. I never said anything about her.—Q. You say she was with these people outside the house? A. I say it was not a proper place for a person calling herself a gentlewoman to be surrounded by a parcel of policemen.—Q. You are quite satisfied you saw her about the house? A. Quite.—Q. You say you had an impression that she had once attempted to strangle you? A. That is the one I allude to—that is the time when I tell you she came and put her arms round my neck.—Q. When was that? A. When I was at Oldfield's. Of course, any one who came to see me would knock at the door first.—Q. She came in there without knocking at the door? A. Oh, yes.—Q. Are you sure that took place at Oldfield's? A. Yes.—Q. Did she at any time make any attempt to strangle you? A. I do not say she attempted to strangle me; though that is what it is said I did say.—Q. What did you say—we will hear it from yourself—what did you say about it—we may be misled? A. I was very much frightened when she came into the room, throwing the door open, running up to me, putting her arms round my neck, after the

statement received that Ince and her were taking proceedings against me in court. Now that is a very strange thing if you are taking proceedings against a person to come in a very cordial way. — Q. Why should you not put the best interpretation upon it, and suppose that it was an act of affection, instead of anything else? A. Affection, sir! — Q. It is my duty not to set you against her, or her against you: what makes you think it was not an act of affection? A. Of course, you would not take proceedings against a person if you were partial to them. — Q. That depends on whether it is necessary or not. What proceedings had she taken, then, besides the original commission? A. Her husband, I suppose it was, or both of them, instituted proceedings against me. — Q. For what? A. To get me into a madhouse, or to get my property. — Q. Was there any other occasion on which you think she did anything of that kind which you consider something like strangling, or that unkind act? A. I never mentioned that she strangled me, or wanted to strangle me; but I said, and say again, it is a very strange way of behaviour, while taking proceedings in the court against me. — Q. I do not understand why there was not an end of all the proceedings after 1846? A. I understood so: I was proclaimed in court a free agent, to do as I liked. — Q. Do you consider that you had been a free agent from that time to this? A. I considered it when I left the court. — Q. Have you been a free agent from that time to this. You have been changing your house very often? (No answer.) — Q. Mrs. Hooper was your eldest daughter, I think? A. Yes. — Q. She married a person? A. In the band. — Q. A person who was once in the band, and you thought, perhaps naturally, that it was not so good a match as she ought to have made? A. No: perhaps some people would be satisfied with it. — Q. She seems to have had some children; was there not a reconciliation after that: she married in 1836? A. I paid a good many of their debts after that. — Q. In 1839, or two or three years after she was married, was there not a reconciliation between you and her? A. We were never on the terms that we were on before. — Q. Did she not come and stay at your house? A. Her child was ill, and her medical man attended the child. — Q. After the birth of the second child, in 1839, Mr. and Mrs. Hooper came and stayed with you for different periods—did they not? — A. She did with the child. — Q. Did not Mr. Hooper? A. No, he did not. — Q. He never was in the house? A. Yes, he was in the house, and had dinner. — Q. Was it not a perfect reconciliation at that time? A. It was on her side a necessary one. — Q. But not on yours. Has she behaved ill to you in any other way besides this marriage, which you think unfortunate? A. Perhaps these gentlemen might not think it so at all. — Q. Has she behaved in a way to give you offence independent of that? A. I have never been reconciled since that, and what is more, never shall. — Q. Let us hope you will some day or other? A. Never—never. — Q. Never too late, you know? A. To mend. — Q. Were you ever under an impression that either of your daughters had made an attempt to murder you? A. No; I never stated it. — Q. Had you the impression on your mind at any time? A. No. — Q. Or that they had attempted to poison you? A. No; but, as I said before, there was stuff put into the food for the fowls—at least, not put for the fowls, but put into some food, and was given to the fowls; the next morning, one of them was found dead. — Q. What was it put into? A. Into the food. — Q. What food was it? A. Oatmeal and barley. — Q. Who did it; do you know? A. That I cannot tell you. — Q. Do you know who did it? A. No, I do not. — Q. You have never accused anybody of it? (No answer.) — Q. You say it was put in the oatmeal? A. Put into the fowls' victuals. — Q. But that could not be with the intention of poisoning you? A. No, it was not intended to give it to the fowls; but you know that the cats would not touch it—that it was thrown out to the hen roost—it was not thrown about the place, because fowls will pick up anything—then, of course, you could not. — Q. Then it was given to the cats, and became the food of the fowls? A. Exactly. — Q. What makes you think it was done to poison either you or your cats? A. I don't say so; but it was not a delusion of mine, because there was Dr. Barnes analyzed it. — Q. There was the stuff at all events? A. There was the stuff found. — Q. And what was found? A. It was found in a jug where the milk was—there was sugar of lead in the stuff, but Dr. Barnes can explain that to you. — Q. Do you remember what it was? A. I do not remember what it was—oxalic acid—Epsom salts was put into the milk. — Q. That was a different occasion? A. No, it was that same time—the milk was thrown out—the servants had put some salts into a jug, and never washed it out, and the milk was put in—now understand me. — Q. Was it milk or cream? A. It was milk. — Q. Not cream? A. No, it was not cream; it was milk. I had sometimes cream, and some-

times milk. — Q. Your daughters would have nothing to do with that? A. I did not say my daughters had. — Q. They would have nothing to do with that? A. How it came there I do not know; but there it was. I do not wish any one to take my word for it. — Q. But your daughters would have nothing to do with that? A. I do not say they had. — Q. I want to exculpate them.

A JURYMAN (To the Commissioner).—I do not yet understand about the milk that was thrown away. She speaks of milk and oatmeal; was that milk and oatmeal too?

The COMMISSIONER.—Did this happen more than once? A. No, only once; and I sent it to the chymist to be analyzed, and he said it was oxalic acid and Epsom salts. The jug had Epsom salts in it, and the milk was put into that very jug. — Q. And then was that given to the cats? A. It was offered to them. — Q. But they would not drink it? A. No, they would not. — Q. Then it was thrown away? A. It was thrown away. — Q. And the fowls eat it? A. And the fowls eat it. — Q. The stuff that was in the jug would have melted in the milk, and would have got thrown away in that way, would it not? A. Yes. — Q. There were two kinds of things? A. Yes; there was one in the milk, and the other was in the food for the fowls.

A JURYMAN (to Mrs. Cumming).—Are you fatigued? A. I am very much fatigued.

The COMMISSIONER.—We will go away now, and come back again in half-an-hour, if you like? A. You are very good. — Q. These gentlemen would like a few more questions to be asked. Could you tell me the annual amount of your property in Wales? A. Yes. — Q. Do you know what it is now? A. Yes. — Q. What is it now? A. The same as it was then. Do not think this an impertinent or short answer. — Q. Certainly not. You say it is now what it was? A. I do not say what it is now. — Q. You say it is now what it was then? A. It is the same. They insinuate that I have been squandering the money and property. — Q. I do not know? A. But I know. — Q. I think you put it rather strangely? A. Stronger language. — Q. I do not mean anything offensive. What do you think is your income from the property at Newport? A. The property altogether, do you mean? — Q. Yes. A. About 400*l.* or 500*l.* a year. — Q. Is it that now? A. It is that now, and it was that. — Q. It was that in 1846? A. Yes. If I had been squandering my property, how could I have the same income? — Q. But you have sold some of your property? A. Yes, but I have improved it. — Q. Have you laid out any money in repairs? A. I have put the farms all in repair. — Q. There is one celebrated name, the Bird's Nest, are the others in good repair? A. Yes, exactly, and so are all the others. — Q. Do you know how much was laid out on the Blackbird's Nest—that is a prettier name than the other—within the last year or two: your accounts will show, I suppose? A. Yes. — Q. Do you remember how much? A. I have got an account of it, because he knew we paid all the bills as they were furnished. — Q. You have not been down there yourself? A. Yes, I have. — Q. Since 1846? A. I went to the Blackbird's Nest. — Q. From 1846? A. Yes, I have. — Q. I think I asked you just now, from place to place, where you had been, and I don't think you mentioned that?

Mr. SOUTHGATE.—She was there all the summer.

A JURYMAN.—Has not your property increased since you sold to the Railway Company and the Water Works Company? A. The value of it has increased. — Q. Then that makes it more than five or six hundred a year? A. No, I beg your pardon.

The COMMISSIONER.—You have more than one tenant, of course? A. I have a good many tenants. — Q. Who is the man who pays you the greatest rent? A. Blackbird's Nest, I think. — Q. That is the highest figure, is it? A. I think it is. — Q. Do you know what it is? A. I think I do. — Q. Do you remember what it is, the Blackbird's Nest? I suppose you have an account rendered from time to time? A. Yes; I have been down twice since that time, and received the rents myself. — Q. Do you know what the Blackbird's Nest was? A. Seventy pounds a year, or thereabouts. If I had my books, I could have told you immediately.

The COMMISSIONER.—The autumn of 1846. Do you remember seeing Mrs. Ince at the Horns Tavern on that occasion? A. I do, and Mrs. Hooper too. — Q. Are you quite sure Mrs. Hooper was there? A. Yes, she was in the room. — Q. In the jury-room, where I was? A. Yes. — Q. Are you quite sure that you saw Mrs. Hooper? Did you see Mrs. Ince there? A. Mrs. Ince was always there. — Q. And Mrs. Hooper? A. And Mrs. Hooper. — Q. I thought Mrs. Hooper was ill at the time? A. So it was reported. — Q. Do you think she was in the room? I understand ill? A. I was ill, but I was brought there. — Q. Did you see Mrs. Hooper in the room? A. I think she was there, but she never came up against me. — Q. You saw her

sitting down? A. I think so. I could not say that it was Mrs. Hooper, but it was very like her at the distance she was from me.—Q. Did you see either of them at the bar of the Horns Tavern? A. No, I did not; but I was told they were both at the bar.—Q. But you did not see them? A. I did not, for I do not go to those kind of places.—Q. I doubt very much whether she was there; have you any reason to suppose that Mrs. Ince was drunk there? A. I never said she was.—Q. Were you told so? A. I was told she was at the bar.—Q. Were you told that she was drunk at the bar? A. No.—Q. But that she was at the bar? A. That she was at the bar.—Q. I do not pretend to say whether she was or was not, but from her appearance, I should not think it likely? A. You must not judge always from appearances. If a lady is seen in the street, with a parcel of policemen talking to her, and pointing up to the house, that is not very like a lady.—Q. But are you quite satisfied she did that? A. I saw it myself.—Q. That was in the Edgeware Road? A. Yes.—Q. Mr. Ince, we understand, lost two of his children? A. I do not know how many he has lost.—Q. Do you remember seeing one? A. I saw one of Mr. Ince's, and one of Mr. Hooper's children.—Q. Was there anything peculiar about one of Mr. Ince's children? A. I never made any remarks.—Q. What did you say? A. When I saw the child, I said it looked a very pretty corpse: that was the expression I made use of; and as to Mr. Ince's child, I said it was very much emaciated; and so it was—it had suffered a great deal before his death.—Q. Was there not one that you said was glazed? A. Oh, no! I cannot help smiling at that.—Q. Did you ever say that? A. No—so help me God!—Q. Have you ever said it was like a waxen doll in a tailor's shop, or any phrase of that kind? A. No, I have not, but it has been said so. I heard it myself—was told it.—Q. But you never said it? A. On my oath.—Q. But I do not put you on your oath, you know?

A JURYMEN (to the Commissioner).—She told you she had seen a book.

The COMMISSIONER.—I suppose you have got a rent-roll? A. Of course I have.—Q. Will you show it to me? A. You must excuse my doing that, as the commission is held upon my understanding, and upon the validity of what I did, and that it would be probably said I am imbecile to expose my private affairs.—Q. Now, as to Mr. Ince, in what way had he ever behaved ill to you? A. Oh, sir!—Q. Can you give me any instance of it? A. Yes; I could give you many instances, if I was well enough.—Q. Would you like us to go away, and come back again in half-an-hour? A. I am quite exhausted.—Q. You told me, a little while ago, you were at Worthing? A. Yes, that is true.—Q. Do you know what name you went by? Did you go by your own name? A. No, I did not.—Q. I am not finding fault with you, but did you go by any other name there? A. Yes, I did, that I might not be found out by my daughters; that is the truth.—Q. Was it Cunningham? A. No, Cleveland.

A JURYMEN.—We are here as kind friends to you; you may tell us any secrets you like, because we are friends of yours.

The COMMISSIONER.—You never pay any interest upon the mortgage, do you? A. No, I never was applied to.—Q. You do not know what it is? A. No.—Q. Who told you that Mrs. Ince was at the bar of the Horns Tavern? It was not me? A. No; and if it was, I would never say it was you; it would be unhandsome, if a friend tells you; it would be unladylike to mention it.—Q. Somebody told you so? A. Somebody told me so.—Q. Did you inquire whether it was founded on fact? A. No, I did not; I was so much hurt at it, that I did not.—Q. I wish you had made inquiries, to know whether she was or not? A. I did not, for I was very tired when I went away, and much excited.—Q. Doctor Caldwell says perhaps you would like a glass of wine, or a glass of brandy and water, is that so? A. No.—Q. Have you dined? A. No, I have not had anything to-day.—Q. I am afraid your appetite is not always very good? A. No.—Q. You will have nothing to drink? A. No, nothing to drink.—Q. You like something to drink better than something to eat, do you not? A. No.—Q. Your appetite is bad? A. Yes, it is.—Q. What time will you dine to-day? A. Oh, any time I can. I have two ladies here, you know.

The COMMISSIONER.—Do they dine with you every day? A. Very often they do, one or the other.

A JURYMEN.—But you have no particular hour? A. Five o'clock.

The COMMISSIONER (rising).—Good morning.

Mrs. CUMMING.—Good morning.

The COMMISSIONER.—I am afraid I have given you a great deal of trouble.

Mrs. CUMMING.—I am afraid I have given you a great deal of trouble.

The COMMISSIONER.—That does not signify. If we wish to see you again, we will let you know. You will certainly see me again; and if these gentlemen wish to see you again, probably you will have no objection?

Mrs. CUMMING.—If I am able.

The COMMISSIONER.—You will be able. Good morning.

Mrs. CUMMING.—Good morning.

The COMMISSIONER.—We should not have come to see you if we could have helped it.

Mrs. CUMMING.—No, sir.

SECOND EXAMINATION OF MRS. CUMMING.

ON THE 9TH DAY—JANUARY 16TH.

Mrs. CUMMING.—There are more of you than this room will hold. I thought there were only twelve gentlemen coming.

The COMMISSIONER.—There are not many more. I am afraid they are all entitled to be here.

Mrs. MOORE.—Gentlemen, I was requested by Dr. Caldwell to say that Mrs. Cumming was very much fatigued by the last visit.

FOREMAN OF THE JURY.—We wish you to retire (referring to Mrs. Moore and another person in the room.)

Mrs. MOORE.—I understood that I was to remain with Mrs. Cumming.

FOREMAN OF THE JURY.—No, you must retire, if you please.

The COMMISSIONER (to Mrs. Cumming).—You were in Wales a year ago? A. Yes, I was.—Q. And saw all your property there? A. Yes.

A JURYMEN (to Mrs. Moore and the other female).—You will leave the room, if you please, both of you.

Mrs. CUMMING.—But I require that lady (referring to Mrs. Moore).

FOREMAN OF THE JURY.—We cannot allow it.

The COMMISSIONER (to Mrs. Cumming).—Who do you wish to have here?

Mrs. CUMMING.—One of my attendants, or that lady.

The COMMISSIONER.—Dr. Caldwell is here.

Mrs. CUMMING.—Dr. Caldwell is a medical man.

The COMMISSIONER.—He is your medical man; he will be here close at my elbow; and if he thinks I am doing wrong, he will tell me so. I have told Dr. Caldwell to be close to my elbow with that view.

Mrs. MOORE.—I may remain here, surely?

A JURYMEN.—No.

The COMMISSIONER (to Mrs. Cumming).—They may go out, may they not?

Mrs. CUMMING.—Sir, that lady is living here.

Mrs. MOORE.—I was desired to attend Mrs. Cumming, and not to leave her. Surely you will let me remain?

Dr. CALDWELL (addressing Mrs. Moore and the other female).—You are doing Mrs. Cumming great harm.

The COMMISSIONER (to Mrs. Cumming).—You do not require them to remain, do you?

Mrs. CUMMING.—I do.

The COMMISSIONER.—When we were here before, they left the room, and you did not object?

Mrs. CUMMING.—No; I was not aware of the inconvenience I should be placed in.

The COMMISSIONER.—I am very sorry that you should have been placed in any inconvenience. I know we were rather long. What was the inconvenience we placed you in, except disagreeableness of seeing us?

Mrs. CUMMING.—I did not know that you all were so ugly as that.

The COMMISSIONER.—If there is any gentleman you see here who you would wish to retire, perhaps you will tell me. Is there any gentleman here you would wish to retire?

Mrs. CUMMING.—No; but any sensible person would draw a line between having a female in the room and a medical man.

The COMMISSIONER.—Would you wish one of these females to be here?

Mrs. CUMMING.—I wish one of them to remain.

The COMMISSIONER.—Which lady would you prefer?

Mrs. CUMMING.—That lady (pointing to Mrs. Moore).

The COMMISSIONER.—Just go behind, Mrs. Moore. (Mrs. Moore, who had been previously standing opposite to Mrs. Cumming at the door, took a seat at the window).

The COMMISSIONER (to Mrs. Cumming).—In what way did we annoy you the other day? A. If you wish to know the rights of it, ask my medical man; he is more competent than I am to answer you.

The COMMISSIONER.—I will not press the matter further. A. I think delicacy ought to forbid your doing so.

The COMMISSIONER.—I hope you will not think I pressed you unfairly the other day. A. You have a right to think so.—Q. You went into Wales last year? A. Yes, I did.—Q. You went to see your property? A. I did.—Q. Do you recollect how long you were there? A. I was three or four months in Wales.—Q. You took some time to go. How long were you in getting down there? A. I went by easy stages. Q. In your own carriage, and with your own coachman? A. Yes.—Q. You had Miss Miller, I think, with you? A. Not from London, I had not.—Q. She did not go with you from London? A. No.—Q. You rented a house? A. I had a house to myself there.—Q. Bassaleg was one; and you had one also at Newport? A. I did not go to my own house. Q. But you rented one of Mr. Edwards, was it?

A JURYMEN.—EVANS? A. EVANS.—Q. Do you remember what you were to give for it? A. There was no stipulated sum mentioned.—Q. What were you to pay a-week for it? A. No, I said I would give him a compensation when I came away; he went out with me himself, and went to his sister's, who was next door.—Q. Did you not go to your own tenant's at Blackbird's Nest, and meet him there? A. No; whoever told you that told a gross falsity.—Q. He tells us he saw you at Blackbird's Nest? A. So he might, sir; I went several times there.—Q. And he says you went from his house to look at it? A. I might have looked at it. I did not go there as lodgings.—Q. Do you know what you were to give him for it, for the house of Mr. Evans? A. About 60*l.*; but there was no specific sum mentioned. He asked me to come to his house, if I would put up with it such as it was. I told him I was very much obliged to him indeed. I should not have gone at all, only the cholera was raging very much about Newport.—Q. Had not you some difference with the landlady of the house you were in—Mrs. Phillips? A. It was about a piano.—Q. We are told so? A. That is correct, sir.—Q. He said you were to pay thirty-five shillings a-week for the rent of the other house you had when you quitted Mrs. Phillips? A. There was nothing of the kind, but I was to give him compensation, and he said, "Never mind, Mrs. Cumming, you are welcome to it if you can put up with it such as it is."—Q. Do you remember going to the Rev. Dr. Williams, the chancellor of the diocese? A. Yes.—Q. You remained there an evening? A. Yes, and called there frequently.—Q. Do you remember how often you called there? A. No, because I should have thought such a trivial circumstance as that would not have been worth mentioning.—Q. You had a pleasant evening there three or four times? A. Yes, very pleasant. They were very genteel people.—Q. Do you remember saying anything about your daughters? A. There were many people in the room, there might be general conversation.—Q. Do you remember saying anything to Dr. and Mrs. Williams about your daughters? A. It was such an insignificant subject that I did not bear it in mind.—Q. I was in hopes that your daughters were not insignificant? A. To me they are obnoxious—I cannot use a stronger term than that.—Q. We have heard of an arrangement which was entered into in 1846? A. Yes, you were the commissioner then.—Q. I did not interfere about the arrangement? A. I did not say you did.—Q. Why did you break it off? Do you remember? A. Because I had the property in my own hands, and I had no occasion to ask for what I had got.—Q. Did any particular person recommend you to do it? A. No. When I found out what was kept in the back ground from me, it was necessary that I should change my mind.—Q. How did you find out the difference, for I have not seen the papers to ascertain what it really was. When was it that you discovered you were under a mistake? A. When I heard it publicly named to me that my father had left it all to myself, which was the case.—Q. You do not remember when it was that you found out that you were entitled to it absolutely, instead of for life. Do you remember when you first heard that and made that discovery? A. It must have been nearly about the time when I was brought into court, because I could not have much opportunity when I was locked up in a madhouse, put

there and kept there by my daughters. — Q. You said that when the agreement was entered into you thought you had only the property belonging to you for life, but you afterwards discovered that you had got it absolutely? A. Exactly so. — Q. Do you know when you found out that you had a greater interest than you thought you had? A. When the brief and papers were looked into. Q. You do not remember how long afterwards? A. Very soon afterwards. — Q. You do not remember where you were at the time? A. I remember that; my memory is not so treacherous as all that. — Q. Why did you not try at that time to come to terms with your daughters, and to make up past grievances? A. Because I had too much of them as it was. — Q. Between parent and child would it not have been desirable? A. No, sir; not all the powers on earth would ever induce me to alter my determination, never. — Q. We can only regret it. You have a right to entertain what opinions you think fit. I took the liberty of asking you the other day what property had been sold. Do you remember what property you sold to the Railway Company? A. I remember all that, but I believe that is a thing private to myself, which no gentleman here can be interested in. — Q. We wanted to see whether what you stated the other day was quite accurate. Can you tell us at all what was sold to the Railway Company? A. I could if I chose, but I do not think that any one has a right to ask the question; I tell you that candidly.

The COMMISSIONER.—You can refuse to tell me. A. I should not like to behave rudely to you as a gentleman. — Q. I should not consider it as rude. Can you tell us what you sold to the Water Works Company? A. I could do all that if I chose.

A JURYMEN.—I wish you would understand we are here for your benefit, and the more correctly you give us information, the better we shall be satisfied of your capability of doing it.

Mrs. CUMMING.—That is a private concern of my own.

The COMMISSIONER.—I am afraid our coming here is private.

Mrs. CUMMING.—Oh, it is public enough all through the neighbourhood, and through London, I believe. — Q. You do not think we come as enemies? A. That I cannot tell. — Q. These gentlemen are not they perfectly disinterested?

A JURYMEN.—Your answers to us will decide our view. We wish every justice done to you.

The COMMISSIONER.—I should be very glad to hear any observation you would like to make to these gentlemen; it would be much more gratifying to me than my putting questions to you. You may naturally feel and think that I am intruding on you.

A JURYMEN (to Mrs. Cumming).—You would oblige us very much if you would state what your property was sold for? A. No; I would not state that, most decidedly.

A JURYMEN.—Do you have an account at your banker's? A. Yes.

The COMMISSIONER.—Will you let us look at your banker's book? A. No, sir, I thank you. — Q. Did you have a banker? A. I did.

A JURYMEN.—What was the name of the banker? A. Do you think they would, without having an order from me, give up anything?

A JURYMEN.—No; that is not likely. What is the name of your banker? A. Scott.

A JURYMEN.—Do you recollect a Mr. Haynes in Palace Chambers? A. I do, perfectly well. Q. What is his name; is it Robert? A. No, it is not. — Q. What is his name? A. I always called him Mr. Haynes. — Q. You do not know his Christian name? A. No. — Q. Do you recollect any transactions you have had with him? A. Yes, I do.

The COMMISSIONER.—Do you remember his paying you a considerable sum of money one day in a carriage? A. No, not in a carriage.

A JURYMEN.—Was any money paid to you in Mr. Haynes's office?

The COMMISSIONER (interposing).—Not Robert Haynes, but Joseph Haynes? A. I know what you mean—his brother.

A JURYMEN.—Did you ever receive any money in his office? A. Yes, he has paid me money.

The COMMISSIONER.—Was that for the sale of some property? A. I have had money from him several times. — Q. He once gave you a cheque for 20^l., and at another time for 24^l., but the gentleman is referring to a larger sum?

A JURYMEN.—Do you remember receiving a larger sum for selling an estate of yours in Wales? A. Yes. — Q. Do you know what amount you received? Do you recollect the sum of money you brought home with you in the carriage? A. Yes. — Q. Will you tell us?

The COMMISSIONER.—In round figures? A. About 300*l*.—Q. Are you sure of that? A. Not for one estate, you know.

A JURYMAN.—Did you receive it at his office, 300*l*? A. I think I did.—Q. Did you take it to your banker's? A. Not directly.

The COMMISSIONER.—In what shape did you receive it? Do you recollect whether he gave it you in a cheque or in bank-notes. A. Principally in bank-notes.—Q. Not in a cheque for a round sum? A. Upon my word I cannot tell. To tell you the truth, I did not know I should be called to account, because that is a private affair of my own.—Q. I am afraid the questions put to you are private. I asked you the other day, and did not like to press you. It seems rather important we should know, for your sake at all events, what mortgage there is upon these two houses; we understand there is a separate mortgage upon each. Do you know the total? A. Yes, I do.—Q. Cannot you tell us? A. If I chose, I could.—Q. Will you have the kindness to tell these gentlemen? A. No, you must excuse me, if you please, for that I consider my private concern.

A JURYMAN.—Have you the deeds of this house in your possession?

The COMMISSIONER.—Do you keep your title-deeds and plate in this house? A. I should be sorry indeed to do it—to keep them in the house.

A JURYMAN.—Will you allow me to ask, do you know where the title-deeds are? A. I can allow you to do that; but I can refuse to answer that question.

The COMMISSIONER.—These gentlemen are sorry you should be on bad terms with your children. Do you remember that Mr. Ince or some member of your family got some saltcellars once belonging to you? A. No, I do not.—Q. It is said that you entertained the impression that one of them had taken some saltcellars belonging to you? A. I never said so.

A JURYMAN.—A silver basket? A. Yes, sir, a little basket he had.

The COMMISSIONER.—How did he get possession of it; do you know? A. I do not know how he got possession of it.—Q. Did he not send it to you, or did not Mrs. Ince send it to you? A. After it was asked for a great while.—Q. What made you think they took it away from you, or stole it? A. Stole it! I did not make use of that expression.—Q. Had you the impression they took it away from you? A. I do not know whether it was a delusion or no, but Mrs. Ince brought it back to me.—Q. Do you know how they got it? A. Not given by me.—Q. Was it not sold amongst some things that were taken away under the distress put in for Mr. Cumming's debts, or something of that kind? A. It was never sold in a public court, not to my knowledge: and there is his gold watch, I have not got that.—Q. Who do you suppose has that? A. I suppose it is at the pawnbroker's, if Benjamin Hooper has not got it away, for he took it there.—Q. Now, these saltcellars which Mr. Ince redeemed from some pawnbroker's, do you remember those? A. He redeem them?—Q. I was told so? A. Then you were told a gross falsity.—Q. What is your impression of the state of things with regard to those saltcellars? A. I did not think much about them afterwards.—Q. Did he not redeem them for you? A. My saltcellars?—Q. Yes? A. He, never; he had it not in his power to do it.—Q. He had not the money? A. I did not say he had not the money.—Q. Did you give him the money to do it; did you give him the money with which to redeem them. You seem to be under the impression that he did something wrong about them? A. No, I have not said so.—Q. You are under no impression of that kind? A. No.—Q. Do you remember who introduced Mr. Thorne to you as your solicitor? A. I do.—Q. Can you tell us who it was? A. If it is of material consequence I will tell you.—Q. As you are asked, perhaps you will have the goodness to answer it? A. I believe I am not forced to answer every question that you put to me.—Q. Certainly not, but do you mind telling us who introduced Mr. Thorne to you? A. It does not redound much to his respectability when I tell that.—Q. As far as I know, he is a respectable man? A. Oh, sir, he is a very respectable man for those who like to employ him. He is at anybody's service for me now.—Q. You seem to doubt whether he is so? A. No, I do not doubt it, I only speak feelingly.—Q. In what respect has he neglected your business? A. I never put it in his power to.—Q. Was he not your solicitor for some time? A. No, only for a few days, or a week.—Q. Not more than that? A. No.—Q. I thought he had been your solicitor for some months? A. He might. I was in very bad health, and I only requested him once to call on Mr. Robert Haynes about some moneys that I wanted.—Q. Do you remember Mary Ann Hickey being there? A. She was a little girl here, I seldom saw

her.—Q. Used she to read the newspapers to you? A. She would spell them to me as well as she could, if that may be called reading.—Q. She was very young at that time? A. She has had time for improvement now.—Q. Do you remember holding a knife in your hand and threatening her? A. No, that is an infamous lie.—Q. You never did so? A. Never.—Q. Because she intimated something of that kind? A. There was a great deal intimated; others have intimated it. She was a mere child.—Q. You have employed Messrs. Carlon and Haynes as your solicitors, I think? A. Yes, I have.—Q. Do you know whether you owe them anything or not as solicitors? A. I believe I do.—Q. Do you know how much? A. No, we have not settled our accounts.—Q. Have they sent you in a bill? A. I do not know, I have not seen it, because it is customary when you have a solicitor for another solicitor to send the bill in to him; that is the case for gentlemen, I mean, much more for ladies.—Q. You think Carlon and Haynes have not sent you their bill; do you think they have sent it to anybody else? A. I do not know, I can only answer for them that they are respectable solicitors.—Q. You say Captain Haynes's watch? A. Cumming's, I beg your pardon.—Q. Yes, I beg your pardon; that Captain Cumming's watch is in pawn now? A. I do not know that it is, but it was put in pawn for him by Benjamin Hooper.—Q. And you have not seen it since? A. I have never seen it since.—Q. You remember a draft-will which you gave directions to be made? A. Yes, I do.—Q. Do you remember mentioning anything about the watch there? A. Probably I might, but that is destroyed now.—Q. It was in writing, you know? A. Yes, but it was never signed.—Q. Do you remember what money you gave in that will to Mr. Haynes? A. Various sums I have given.—Q. But to Mr. Robert Haynes himself, you do not remember? A. I do not recollect at this moment, because the will is destroyed, you know.—Q. But you have a copy of it, which I showed you the other day? A. I have not got it. Mr. Thorne might give it you, he took it away meanly and pitifully. I thought he was a gentleman, you know.—Q. He took it away and produced it before me? A. Yes, he did, but he would not tell you how he got it, though.—Q. I think he said you gave it him? A. Not to take it out of the house. If you were to let me look at one of those papers, (referring to some papers in the Commissioner's hands,) would I take the liberty of not returning it to you—no, I would scorn it as a gentleman.—Q. You say you destroyed the will? A. Yes.—Q. What will did you destroy? A. The will I made when I was very ill.—Q. And you signed it? A. No.

A JURYMAN.—You never made a will at all? A. Not besides that.—Q. There is no will in existence now? A. Not to my knowledge.—Q. It must be to your knowledge if you made one? A. Exactly so, so it would.

THE COMMISSIONER.—Do you remember whether that silver basket, which we have talked about, was ever put up for sale? A. No, it never was.—Q. Did not your daughter, when you were at Greenwich, write you a letter offering to buy anything for you? A. I do not remember.—Q. About the time the things were seized, and sold in consequence of some debts your husband had incurred, I want to set your daughter right in that respect; do you remember her writing you a letter offering to buy in anything for you? A. I had employed a person.—Q. A person at Greenwich? A. Yes.—Q. To buy in something for you? A. Yes.—Q. Do you remember what it was he bought? A. Nothing very valuable, only what I set a value on.—Q. Family? A. Plate I may call it, plate, you know.—Q. What was it? A. It was of very little value.—Q. But you do not wish to tell me what it was; you told me the other day that the property you sold to the Railway Company altogether amounted to 7000*l.* or 9000*l.*, that is, what you sold to the Railway Company and the Water Works Company, do you remember at all how much you did sell? A. Why, sir, I was not down in Wales then.—Q. When the thing was going forward? A. No.—Q. But can you remember the figures; can you remember what the Railway Company were to give you. There was a house which you would not let them have without the garden, and then they took the house and garden? A. The house and premises.—Q. What were they to give you for that? A. They were to give me 2000*l.* for that.—Q. Were they to give you anything for anything else, the same company. A. Not at that period, it was at another period.—Q. What were they to give you for the other property that was sold afterwards? A. It was nearly 2000*l.*—Q. To whom were you selling? A. To the Railway Company.—Q. I understood you to say so the other day?

A JURYMAN.—6000*l.* she says.

Mrs. CUMMING.—That is what I told you the other day.

The COMMISSIONER.—Then you sold some to the Water-works Company besides? A. Yes, at different periods, you know. — Q. Do you recollect what the Water-works Company were to give you? A. Nearly 1000*l*.

A JURYMAN.—Then there were Sir Charles Morgan? A. That is lately.

The COMMISSIONER.—I understood you do not approve of that sale to Sir Charles Morgan? A. Who said so? — Q. Do you know what you are to receive from him? A. Yes; perhaps it is received now for what I know. — Q. Do you know what the sum is? A. If you can tell me what the premises were, then I will tell you.

A JURYMAN.—It was somewhere near Tredegar, among which there was a piece of land which the clergyman of Bassaleg had, Mr. Williams. It was put up for sale once, then bought in, and then you sold it to Sir Charles Morgan? A. That is truth, whoever told you that. — Q. What was he to give for it? A. It was only a little bit of ground round the church.

The COMMISSIONER.—Was that all you sold to Sir Charles Morgan? A. I cannot charge my memory with all that, because there has been a good deal of my property sold before I came into it, to Sir Charles. — Q. But since the year 1846? A. There has been none sold to Sir Charles unless it is without my knowledge. — Q. Since 1846 there has been none sold without your knowledge, I hope? A. No; that was not sold without my knowledge. — Q. What have you sold to Sir Charles Morgan since 1846? A. Nothing since 1846. — Q. I understood you to say so the other day, excepting Sir Charles Morgan, or Morgan and Bailey, a bit of land? A. Yes; but that is a different one from this: it is a very common name in Wales, Morgan is. — Q. Do you think there has been some sold to Morgan and Bailey? A. No; not Morgan and Bailey.

A JURYMAN.—The Rev. Mr. Williams is not your tenant now? A. He never was my tenant. — Q. He was when you went there in 1849? A. Yes; that is some years ago. — Q. The property has been sold to Sir Charles Morgan? A. Yes; but Mr. Williams keeps it. — Q. But he is not a tenant to you.

The COMMISSIONER.—You do not get the rent? A. No; I could not expect the rent when I had sold it. — Q. What did you sell it to Sir Charles Morgan for? A. It is easily told, because it is a very little bit. — Q. There were from two acres and a half, to two acres and three-quarters? A. Yes. — Q. Can you tell us at all what you did sell to Sir Charles Morgan, or any other gentleman of the name of Morgan? A. Round the church; that was a small spot of land that I sold to Bailey. — Q. The receipts which you have given for your rent—do you draw them out yourself? A. I do. — Q. The whole of them, body and all? A. Yes; but since my eyes have been so bad I only *sign* them. — Q. How long have you given up writing the body of the receipts? A. Not long; perhaps I may do it again when my eyes get better—I have a dreadful cold in my eyes. — Q. The cheques on your banker, do you draw them? A. I do sometimes, according to the state of my health. — Q. Do you remember seeing Mr. Williams in your carriage, and receiving his rent up to 1849, and giving him a receipt? A. Yes, I do; but I gave him a receipt from myself then. — Q. They were all signed by you? A. Yes.

A JURYMAN.—When was it you gave him the receipt in the carriage? A. When I received the money. — Q. When was that? A. I do not think that is a question I have a right to answer. — Q. Do you ever have your banker's book sent home and made out? A. No; because I call there very often. — Q. When was it last made up? A. Why, very lately. — Q. About what time do you have it made up: at particular periods? A. You know I cannot have access always to the banker's. — Q. But you can send? A. Yes; but we should be very tenacious who we send. — Q. Can you not trust the people about you? A. Yes, I can. — Q. Do you think it was made up at Christmas? A. There is not a great deal in it, because I have drawn it myself. — Q. How often do you generally get it made up? A. Not at any particular period. — Q. You have some grandchildren? A. I believe so. — Q. They have given you no cause of displeasure? A. I never put it in their power. I have quite sufficient to occupy my mind by my own children, their parents. — Q. I understand you to say, you saw Mrs. Ince sometimes out of your window? A. To be sure, I could not do otherwise when she came there and pestered me from morning till night. — Q. Was she alone when you saw her? A. I cannot tell that. — Q. You would see if other people were with her? A. Not if they stand behind. — Q. How often have you seen Mrs. Ince out of these windows? A. Many times. — Q. Lately. A. It is not a very great while ago that she was here. — Q. Since Christmas; since you came back from

Effra Hall? A. I think I have, or somebody like her.—Q. Have you seen her outside the window? A. Outside the door; not this door, but I mean the gate; we call it a door.—Q. You thought you saw her once or twice outside the house in the Edgware-road? A. No, I have not been able to go there.—Q. But when you were living there, two or three years ago, do you remember living at Mrs. Oldfield's? A. Yes, perfectly well.—Q. Did you see her outside there? A. Yes, I did see her outside there, surrounded by a parcel of policemen: and very lady-like it looked, too.—Q. Anybody else?

(The female who had been requested to leave the room here entered, and said, "Mrs. Cumming was so exhausted last time, that I think she must require a little refreshment.")

A JURYMAN.—What is your name?

Mrs. CUMMING (addressing the female who had entered.)—Blake, I want you.

Dr. Caldwell (speaking of Mrs. Cumming.)—She wishes to retire; she feels fatigued.

The COMMISSIONER.—We did not think it right to come and trouble you yesterday.

Mrs. CUMMING.—I was here ready, and waiting.

The COMMISSIONER.—To-day, Dr. Conolly said you wished us to come. Do not disturb yourself about it; leave yourself in the hands of these gentlemen; you may depend upon it they will do what is right for you.

A JURYMAN (to Mrs. Cumming.)—The mistake you make, I fear, is, that you think us your enemies; but we are your friends. Every question these gentlemen put to you is for that object; we wish everything should be properly done to you.

Mrs. CUMMING.—I am very much obliged to you.

THIRD EXAMINATION OF MRS. CUMMING BY THE COMMISSIONER.

JANUARY 23RD.

The COMMISSIONER.—Do you know the amount of your mortgages; can you tell us what mortgages you have on this house and the adjoining house? A. There is a mortgage on each.—Q. Do you know the amount of the mortgage on each? A. Why I pretty well know.—Q. Can you tell me what the amount is? A. Is it necessary that I should?—Q. I do not tell you that it is necessary, but it is right and proper that you should tell us; these gentlemen are come, not as your enemies, but as your friends; you will believe that? A. Certainly, for politeness's sake I will believe everything you say.—Q. Can you tell us the amount of each mortgage? A. I think it is a mortgage for 600*l*.—Q. Each? A. But I did not pay the amount; I had not the money then to pay it.—Q. But do you know the amount of the mortgage on each house? (Interruption.) Q. You have sold some of your property to the Railway Company? A. Yes; I know.—Q. Do you know what has become of the money at all? A. It has been invested, some of it.—Q. In the funds? A. In the funds.—Q. In your own name? A. Oh, I never had it in anybody else's name!—Q. You might have it in the name of trustees, you know? A. No; I never had trustees yet.—Q. What is the amount that has been invested, do you know; can you tell me the amount? A. I cannot; 6000*l*. or 7000*l*.—Q. 6000*l*. or 7000*l*. you have invested, have you? A. Yes.—Q. Then why did you not pay off the mortgage on these two houses? A. Because I wanted some of the money to live upon.—Q. Do you not live on your income? A. Yes, but I have a great deal more to lay out than the income from my house; the law suits were very heavy.—Q. What sum do you think you have invested in the funds? I will take care that nobody shall interfere with you. What sum do you think you have invested? You cannot make it out? A. I don't say that.—Q. Don't let me misunderstand you. You do not recollect how much you laid out in law, do you? The law, I am afraid, is desperate, is it not? A. I think it is.—Q. Do you know what you have paid for law expenses? A. Yes, I know what I have paid, but I do not know what I shall have to pay when this is over.—Q. Do you know how much you have paid? A. To defend myself when I was taken to the Horns?—Q. Yes? A. Between two and three thousand pounds.—Q. Who was that paid to? To Mr. Robert Haynes, or to Messrs. Carlon and Haynes? A. Yes, Carlon and Haynes.—Q. Or Robinson and Haynes? A. No, not Robinson and Haynes; Carlon and Haynes.—Q. Do you think you have paid them so much as that? A. Yes, I think so.—Q. They were not your solicitors at the

Horns, you know, were they? A. Robert Haynes came forward there. — Q. Do you think you paid Carlon and Haynes as much as two or three thousand pounds? A. For law? — Q. What law proceedings have they done for you? A. They took that up before—when I was molested before; Carlon and Haynes did. — Q. What, at the Horns tavern? A. The Horns tavern when you presided there. — Q. We understand that your furniture was taken to Oxford-terrace, the other side of the river? A. Very likely it was. — Q. Do you know why it was taken there? A. Because I was so molested at Sir Matthew Wyatt's house, that they gave me no peace at all there. — Q. Who molested you there? I thought it was a quiet, respectable neighbourhood? A. So the neighbourhood is. — Q. Who tormented you there? A. Mrs. Ince, Mr. Ince, and Mrs. Hooper and Mr. Hooper. — Q. Anybody else? A. I think that was enough. — Q. Do you know what rent you were to pay for the place in Oxford-terrace, where you put your things? A. No. — Q. What were you to pay there? A. They are not there now. — Q. How long did they remain there? A. A few months. — Q. Whose house was it? A. I don't know. — Q. Don't you know whose house it was? A. I know pretty well they could not have gone to a stranger's house; it was Mr. Oldfield's house. — Q. In Oxford-terrace, Mr. Oldfield's house? A. I do not know that it was Oxford-terrace. — Q. Do you remember where your furniture went to when it went from Herbert Villa? A. That was the place. — Q. It went from Herbert Villa: where did it go to? A. It went, I think, to the Oldfields'. — Q. Your furniture did not go to the Oldfields'; I thought you had ready-furnished lodgings there? A. Part furnished; but there were my pictures there. — Q. You took your furniture there? A. A good many things. — Q. Do you know whether your furniture went to Oxford-terrace, on the other side of the river? A. No; I do not know where Oxford-terrace is by the name. — Q. You never lived there? A. Not from my recollection of the name. — Q. Dr. Caldwell has attended you for a long time: have you paid him his fees regularly? A. I paid his fees as it suited me, and I gave him bills for them. — Q. Have those bills been all paid? A. As far as by acknowledgments. — Q. Do you think you owe him anything? A. No, not now, because he has got a note of hand from me—not a note of hand. — Q. A promissory note? A. A promissory note. — Q. Do you know the amount of it? A. Yes, I do. — Q. Could you tell these gentlemen? A. Is it requisite. — Q. It is desirable that you should? A. Because he is a medical man. — Q. But it is to see whether it is quite right what they tell us. A. I think it is a very hard case that I should be examined by my children about what I pay to my medical attendants.

(A man servant enters with candles.)

A JURYMAN (to Mrs. Cumming).—Would you like to have lights? A. It is immaterial to me, sir.

The COMMISSIONER.—Do you know when your banker's book was made up? A. Very lately. — How long ago? A. About two months ago.

A JURYMAN.—Did you have it regularly? A. Yes, as regularly as I could, in the irregular way in which I was living.

The COMMISSIONER.—Why should you live irregularly? don't they pay your rents from Wales? A. Yes. I am not speaking of my tenants, but when I am hurried and driven about. — Q. Who hurries and drives you about? A. I have repeated two or three times to you, Mr. Commissioner Barlow, that it was Mr. Ince, and Mrs. Ince, and Mrs. Benjamin Hooper. — Q. I was in hopes that you had got rid of that impression? A. I could not get rid of the impression when they were always driving me about. — Q. Where did you see them last to annoy you? A. In this house, at least at the door. — Q. How lately was that? A. A few weeks ago. — Q. Did you see them yourself at the door? A. No. I never go to the door myself. — Q. Who told you that they were there—the servants? A. I saw Mrs. Ince myself come to the door. — Q. Within the last two or three months? A. Oh dear, yes. — Q. Would you mind telling these gentlemen what funds you have? A. Is it necessary?

A JURYMAN.—It is quite necessary that you should tell us.

The COMMISSIONER.—We want to know whether you are imposed on? A. I am not imposed on, except by my nearest relatives.

A JURYMAN.—But unless you tell us, we do not know how to act for your benefit. A. I do not know that it would be any benefit to me. If I were cheated, certainly I would communicate it; but Mr. Robert Haynes has always done justice to me.

A JURYMAN.—At one time you dismissed him, and then went back to him

again. A. I did; but then, since that, I have known the reason why he neglected sending me the money.

The COMMISSIONER.—Why did he not send you the money? A. He did not receive it.—Q. During that time, did you employ another solicitor? A. I wanted money, and that was the time that Mr. Thorne was employed to get me money.—Q. Are you quite satisfied Mr. Haynes has no money of yours now in his hands? A. He might have: I do not know.—Q. Has he not 500*l.* or 600*l.* or 1000*l.* in his hands of your money? A. He is not making use of my money; that he is not.—Q. Have you not a mortgage of 3000*l.* on some of your property? A. Yes, there is.—Q. Do you know what that was raised for? A. To pay my debts.—Q. Do you know what you received from Sir Charles Morgan? A. Yes.—Q. What was the sum? A. Between 2000*l.* and 3000*l.* I think.—Q. What did you do with it, do you know? A. I had a great many debts to pay, and I want some money, you know, to live upon.—Q. But you have not been living at a great expense, have you? A. No; but travelling about, you know, causes a great deal of unnecessary expense.—Q. When was it that you were last travelling? A. Why, sir, the last time I was travelling was from Brixton to London.—Q. From Effra Hall? A. Yes.—Q. You cannot tell me what kind of balance you have at your banker's? A. No, not exactly: how can I?

A JURYMAN.—Is your banker's book here now in this house, or at the banker's? A. It is at the banker's.

The COMMISSIONER.—Does Mr. Haynes send you in his accounts half-yearly regularly? A. Yes, he does.—Q. And have you got them all? A. I have no occasion to find fault with him.—Q. But you had occasion at one time? A. That was through a mistake, because he had not got the money; that is, Birch and Davis had not sent the money to him.—Q. Why did you dismiss Mr. Thorne? A. I had enough reason to dismiss him.—Q. What was your reason? no doubt it was a good one: what was it? A. For not keeping his word: he said he would send me money, which he never did.—Q. What money was he to get for you? A. Oh, sir, a few pounds; he got papers out of my hands which he has got now.—Q. You gave them to him, did you not? A. Yes, but not to keep.—Q. Have you asked him to return them? A. I never see him now; I did send a message to him.—Q. Do you remember the poison being found? A. Oh, yes.—Q. I think I may have misled you the other day; there was some in a paper, and something in the milk? A. Yes, those are two distinct things.—Q. But were they at the same time? A. Both at the same time.—Q. What did they tell you was in them? They were analyzed by Dr. Barnes? A. He told me it was in the milk; that the milk was put into a dirty jug by one of the servants, and there was Epsom salts in it.—Q. Could you ever account for their being there? A. No; how could I account for what is going on in my house in the kitchen?—Q. Had you not an impression that your daughters had put it there? A. No; I never said I had.—Q. You never had such an impression? A. I never had.

A JURYMAN.—And you have not that impression now? A. No.—Q. You do not believe that your daughters did it? A. No, I do not. I thought it was very strange indeed.—Q. Have they ever tried to poison you? A. Not to my knowledge.—Q. You do not charge your daughters with an attempt to poison you? A. I do not now.—Q. Why can you not return to your natural affection for them? A. That is not the reason I changed my natural affection; that has nothing to do with it.—Q. Will you allow me, as a friend, to make one suggestion. Dr. Williams says, that when you were at Bassaleg you attended his church; the Rev. Mr. Evans also says you attended his chapel; on those occasions you repeated that beautiful prayer of our Saviour, "Father, forgive us our trespasses as we forgive them that trespass against us;" now, we make it the condition of our asking forgiveness of God, our forgiving others; now how can you reconcile it to your mind to leave the world, and go into the presence of the great Creator, at enmity with your own children? A. I have no enmity towards them.—Q. You had unfortunately a husband, who would not be controlled by you; is it not possible that they may be placed in the same situation. I state this with the greatest affection towards you, to consider the relative position in which they stand, and the position in which we all stand; God has put it, that we are only to ask him for forgiveness of our sins, on the same ground that we are disposed to extend our forgiveness, not only to our children, but to all mankind. (No answer.)—Q. Should you like to see your daughter now? A. No, I should not; I am in very bad health; I am in too ill health to stay here much longer.

A JURYMAN (to the Commissioner).—I don't understand what Mrs. Cumming said respecting her money in the funds. I think she said she had money in the funds. I wish to know whether she has got the bank receipt which they usually give.

The COMMISSIONER (to Mrs. Cumming).—How lately have you discovered you were mistaken as to the poisoning? A. After I was set right by the medical men. — Q. That was almost immediately after it had happened? A. Yes; it was a good while after. — Q. But you had such an impression until you were set right. A. No, Sir; I never thought they had put the poison in. — Q. You do not recollect ever stating it to any person that that was your impression. A. No, Sir; never, to the best of my knowledge. — Q. Have you any reason to suspect anybody? do you believe it was done by anybody else? A. No; I was at peace with my neighbours, and I did not think they would do anything of the kind. — Q. Do you recollect your daughter, when you were in the Edgware-road having a bit of dinner with you? A. Never; I was taking my lunch quietly, when Mrs. Ince came and obtruded herself upon me. — Q. Did she not have some with you? Did you not ask Mrs. Ince to come and have a bit with you? Did you not say it was cold, and that you had no one to cut it for you? A. No; that is exaggeration, whoever told you that. — Q. But did she stay all the evening with you? A. No; she did not. — Q. How long did she stay? A. I had no watch to go by. — Q. Was it a short or a long visit? A. A long visit I thought. — Q. She came the next day? A. Did she? — Q. Do you not recollect seeing your daughters? A. I saw them several times. — Q. Where did you see Mrs. Ince last? A. Up at this house.

A JURYMAN.—Did she threaten to strangle you? A. No, sir; no. — Q. Not there? A. No. — Q. When you were in the Edgware-road? A. I know where you mean.

The COMMISSIONER.—Can you tell us what the amount is that you have invested in the funds? A. It is about 2000*l.*, I think; but really you have all asked me so many questions, and I am extremely ill, that really I am not able to tell.

A JURYMAN.—Would you allow us to explain that we have come here as friends, and if you have anything to tell us, to inform us on any point, it is all we are asking, for we are endeavouring to do justice to you, and if we can ascertain from you everything you wish to say about your daughters we shall be glad. A. I have nothing to say about my daughters. — Q. Who receives your dividends on your funded property? A. I receive them myself. — Q. Do you go to the Bank to receive them? A. Yes. — Q. When did you go last to the Bank? A. I gave that money to my daughters. — Q. You have nothing in the funds now, then? A. No, I have not. — Q. I thought you said you had 5000*l.* or 6000*l.* in the funds. A. No; they received that money that I might have peace for the remainder of my days, and you see how much peace I have. — Q. Can you still explain this to us? You have mentioned several thousand pounds that you received by the sale of property, and by mortgage, and otherwise; can you give us any idea what has been done with it? A. Yes; I know very well. — Q. That is what we wish to know. A. I have been persecuted so, that I think that had better remain in my own breast till I am dead. — Q. But it allows a suspicion to rest in the minds of other persons which you could remove immediately. We do not wish to take your property from you. A. I do not suppose that as gentlemen you would. — Q. Our only object is to know what has become of the money. You have mentioned several thousand pounds that you have received in one way and the other, and if you could state how it has been applied, whether by paying debts, or investment in the funds, or the purchase of property, so that we could account for it, it would be desirable? (No answer.)

The FOREMAN.—We only ask it as a test of your accuracy in your accounts, and of your being able to manage your own affairs, that is what we are anxious to obtain, if it is possible, from you? (No answer.)

A JURYMAN.—You receive nothing from the funds now? A. No. — Q. I thought you said you went to receive your own dividends? A. So I did when I had money. — Q. That is many years ago—you have not received any dividends lately? A. No; I never go there for it. — Q. What is your income now, do you think? A. It chiefly consists in landed property. — Q. How much do you receive yearly? A. I do not think I have a right to answer that question. — Q. Just as you please, only it is for our guidance? A. I have no objection to your knowing it, but I think in the present state of affairs I had better keep it to myself. — Q. What is the interest you pay on the mortgage on these houses? A. I pay something upon them, but I have it not in my power to pay it all. — Q. Do you know what interest you pay for the mortgages? (No answer.)

The COMMISSIONER.—Do you know what sum you pay a year for the mortgage? (No answer.)—Q. Do you recollect whom you pay it to? Who receives the rent of the next house? You see there is the 3000*l.* mortgage on your estates in Monmouthshire, and there is a mortgage on these two houses that amounts to a large sum. If you pay the interest on that, what amount of interest do you pay? (No answer.)—Q. Your next-door neighbours—those ladies that live there—have they ever paid you your rent? A. No; I have never demanded it.—Q. Whom do they pay it to? A. Mr. Robert Haynes.—Q. Why should they not come and call and pay it to you—have you ever proposed it? A. No; I have never proposed it to them.—Q. Do you know up to what time it was paid? A. I believe they are very exact in their payments.—Q. When you were in Wales the tenants came to you, and you used to receive the rents yourself? A. Yes.—Q. You gave them your receipts very rightly and properly. Why should you not receive your rents here as well? If persons now owe you money, you ought to receive it. When did you receive any money last from any source—can you recollect? A. From my tenants, do you mean?—Q. No; from any parties. When did anybody give you any money last? A. Mr. Robert Haynes has given me money.—Q. Only Mr. Robert Haynes? A. Yes.—Q. Have you any idea how recently he has given you money? A. Yes.—Q. Does he give you the money himself, or does he pay it into your bankers? A. Sometimes he pays it to my bankers, and sometimes to myself, according as my health is.—Q. Do you recollect how you received the last? A. Yes.—Q. Was it paid to your bankers, or yourself? A. To myself.—Q. Do you remember the amount? A. Yes.—Q. When you draw upon your banker, do you make out your own cheques? A. No; they make them out, and I sign them.—Q. Your friends do? A. Yes.—Q. Have you got your cheque-book? A. No.—Q. You paid Dr. Caldwell, you said, by promissory notes? A. Yes.—Q. They are over-due, and not paid, I suppose? Do you know whether you owe any money to Dr. Caldwell? A. No; I cannot owe him any money now, because I have paid him.—Q. In what way did you pay him? A. By a promissory note.—Q. But that is not very good pay, I am afraid? A. He is satisfied with it.—Q. He never remonstrates with you? A. No; never.—Q. Do you think he is satisfied with those notes? A. Yes.—Q. You sold some property to the Water-works Company, and the Railway Company. Here is a list which I made out of what you sold. Do you remember what you sold to the Railway Company a little while ago? A. In Wales?—Q. Yes. A. To Sir Charles?—Q. No; the Railway. A. Because Sir Charles bought some.—Q. What was the amount that the Railway Company were to give, do you know? A. Mr. Jones, you know, made a bargain with them.—Q. He had nothing to do with the Railway Company? A. As much as he had to do with my property.—Q. He did not take the money, I believe? A. No; he did not take the money.—Q. Can you tell the amount of money which you were to have from the Railway Company? A. Two or three thousand pounds.—Q. What was it from the Water-works Company? A. That was about between two and three thousand pounds.—Q. The Water-works? A. Yes.—Q. That would make between four and five thousand pounds altogether? A. Yes.—Q. There was a Mr. Gething, or some such gentleman? A. Yes; Mr. Gething.—Q. He bought something of you, did he not? A. Yes; he bought sufficient land to build a house upon.—Q. And do you recollect what he gave you—how much did he give you for it? A. He gave about 4000*l.*—Q. Do you remember seeing me at the Horns Tavern, when we were in hopes you would have carried out the agreement which you entered into? A. I recollect you well there.—Q. I did not try to persuade you, did I? A. No.

A JURYMAN.—Do you know Mr. Evans, of Monmouth? A. No.—Q. Evans, whose house you lived in? A. Never in Monmouth.—Q. Newport? A. Newport—yes.—Q. Do you recollect him? A. Yes.—Q. What were you to pay him for the accommodation you were to have there; what terms did you agree upon with him? A. I went there because of the cholera that was raging about Newport.—Q. What were you to pay him? A. I was to pay him about 80*l.* a year.—Q. Did you take it by the year? A. At the rate of that.—Q. Do you recollect whether you made any agreement by the week? A. No; there was no specific agreement, because he was not in the habit of letting; he built it himself.—Q. How many grandchildren have you got? A. I do not know, and therefore I cannot give an account of them.—Q. Do you know what rent your next-door neighbour is to pay you?

Another JURYMAN (interposing).—Do you know how many grandchildren you have? A. I cannot answer you that question, for I have not seen them since two of

them died. — Q. Do you know where Mr. and Mrs. Hooper are now? A. No, I do not. — Q. Do you know that she is very ill? A. No, I do not. — Q. Should you not like to see her? A. I am very ill myself. — Q. Have you no desire to see her, being ill? A. No: I should be sorry to hear she was ill. — Q. She is very ill. A. Indeed—I am sorry for it. — Q. Were you not aware of it? A. How could I be aware of it when we do not visit. — Q. Do you not wish to visit? A. No, sir; no. — Q. Would you rather that Robert Haynes had your property than your daughters? A. No; and he never proposed such a thing to me. — Q. Not in that will which you proposed to make? A. That will was done aside. — Q. But you had proposed to give him money; do you recollect that? A. I recollect that perfectly well. — Q. Do you recollect how much you intended to give him? A. Yes: I was very ill at the time.

The COMMISSIONER.—Do you know what it was? A. Two or three hundred pounds, I think it was. — Q. You are sure you did not leave him all your property? A. No, I did not. — Q. That you would not do? A. No, I would not. — Q. Whom did you leave as residuary legatees; who was to have all the residue that you had not given by the other parts of the will? A. Different parties. — Q. Was Mr. Robert Haynes to have the residue? A. I do not recollect it. — Q. Do you recollect signing a will at Mr. Hutchinson's? A. No, I do not. — Q. Are you sure you did not sign one there; when you were very ill, did you not sign many papers which you did not know anything about? A. No, I did not sign any papers at Mr. Hutchinson's; I was too ill. — Q. There was a paper on the 4th of June, or thereabouts, sent to Messrs. Carlon and Haynes about the will; do you remember signing that? A. No, I do not. — Q. To whom did you give instructions about your will? A. To Carlon and Haynes. — Q. Did you not write them a letter first? A. There was a letter written for me. — Q. Who wrote it? A. A very particular friend of mine. — Q. Was it Mr. Robert Haynes? A. No: Mr. Robert Haynes is not a particular friend of mine; he is my solicitor, and has always treated me and behaved to me as a man of honour. — Q. Did he not write instructions for your will to Carlon and Haynes, and did you not sign it? A. It is so many years ago now that I cannot call it to my recollection. — Q. Do you remember what rent the two ladies next door are to give you? A. Yes. — Q. What is it? A. Seventy pounds.

A JURYMAN.—I wish we could persuade you to be on friendly terms with your daughters? A. If it please God that I live long enough, I will think of my grandchildren. — Q. I thought you did not know how many grandchildren you had? A. No, not if I was on my oath. — Q. Do you recollect your daughters through their solicitor writing a letter, saying they would give up everything themselves if you would think of your grandchildren? A. I recollect something of the kind. — Q. It was a very kind letter? A. I was never entitled to anything but kindness at their hands. — Q. But they are very anxious to be friendly with you? A. They have used me too ill.

The COMMISSIONER.—What is the greatest offence they have committed against you? A. Do you not think it any offence for daughters to persecute their mother, so that I cannot get a moment's peace, not anywhere I go to; I am like a hunted dog—a vagabond.

A JURYMAN.—You most likely imagine it? A. No, sir; no. — Q. If you had them with you and experienced their kindness, you would not say so? A. Ah, sir! — Q. Has any individual ever tried to prejudice you against your daughters? A. No.

A JURYMAN.—We should have been so happy to see your daughters and yourself reconciled.

THE COMMISSIONER'S SUMMING-UP, AND THE VERDICT.

AFTER the third interview with Mrs. Cumming on the previous evening, the jury assembled on the 24th January for the sixteenth day. The FOREMAN OF THE JURY expressed the opinion of the jury that it was not necessary to ask the learned Commissioner to sum up the evidence.

Another JURYMAN adverted to the circumstance that the learned Serjeant (Wilkins) had pointed out a distinction between the law of Scotland and England, and said it would be satisfactory to him if the Commissioner were to touch upon that subject.

The COMMISSIONER said:—The case was now ripe for the determination of the jury, and they were to decide it upon their own opinion and not upon the opinion of anybody else. What might have been best for the personal comfort of this lady; and for the protection of her property, was not a question for them now to consider. They had only to consider upon the evidence which had been laid before them—what opinion

they formed as to the existing state of her mind, and what it had been for some years past.

The most important evidence in almost all these cases was what passed between the jury and the patient. The Commissioner always liked the presence of counsel on these occasions; it was very difficult to avoid the appearance of putting questions with a view to one side or the other; indeed, it was self-evident, on looking through the short-hand writers' notes of the first examination, that he was putting questions which ultimately proved very irrelevant to the real issue. At that time they only knew one part of the case. The presence of counsel was desirable to see that the party should not be subjected to a kind of cross-examination which would be unfair. These things should be treated in a conversational tone, to get out the real merits and the real feeling and characters of the individuals.

The issue before the jury was this:—Whether she was now a lunatic, an idiot, or a person of unsound mind, so that she was incompetent to take care of herself and her property. If they came to that conclusion, they would have then to point out from what particular day they thought she had been in that state; and whether she had continued in that state from that particular date to the present time. Those who had taken out the Commission asked the jury to find that she was actually of unsound mind, and suggested that the jury should carry that back as far as May, 1846. The Commissioner, therefore, directed the attention of the jury to the evidence relating to that period.

It was not for the jury to consider whether this lady was or was not a fit subject for a lunatic asylum; all they had to consider was, what was and what had been the state of her mind. Neither was it the province of the jury to consider what the effect of their verdict might be upon other parties. Any transactions of an antecedent date to the verdict, they were to look at only so far as they bore upon the state of her mind. It was quite clear that in this particular case the character of individuals was, to a certain extent, indirectly concerned. They would abstain from expressing an opinion upon anything that any person might have done; and only take into consideration the proceedings of other parties as evidence to assist in forming their opinion.

The Commissioner then referred to the three legal phrases, "idiot," "lunatic," and "unsound mind," which he had explained on opening the Commission. He said, for a great many years there was some doubt whether persons of unsound mind in one sense—he meant with reference to the management of their property—persons of senile imbecility, could by possibility come under a Commission of this kind. It had been decided by Lord Eldon, over and over again, that if the jury were satisfied that there was imbecility from old age to such an extent as to deprive a person of the power of managing himself or his property, and if the jury were satisfied that the party was of unsound mind—if there were evidence sufficient for that—and if the jury were satisfied of that, then the case came within the terms of this Commission. It was not that imbecility was insanity—it was not that the want of power of managing property was insanity—but it was the fact when the acts and deeds proved before the jury led them to the conclusion that the person was of unsound mind. It was utterly impossible to define, with anything like accuracy, what was or was not unsoundness of mind. They must form their own opinion, in each particular case, from the facts which were laid before them. There was one observation he should make, in consequence of what had been said by the learned Serjeant as to whether it was sufficient to be satisfied that the party was not competent to manage his property. The answer was, that the person might be insufficient for the proper management of his property, and might have a partial loss of memory, and yet they might not be led to the conclusion that that person was of unsound mind; and, on the contrary, there might be sufficient evidence before them that there was such imbecility of mind as amounted to unsoundness of mind. The mind might be diseased to such an extent as to satisfy them, in making a return to an inquisition of this kind, that the person was of unsound mind.

It was laid down in Shelford, "In deciding whether a party is of sound or unsound mind, one of the most important points to be considered, and which should be distinctly ascertained as far as it can be fixed, is, what is the test and criterion of unsound mind, and where eccentricity or esprice ends and derangement commences. Derangement assumes a thousand different shapes as various as the shades of human nature. It shows itself in forms very dissimilar both in character and in degree. It exists in all imaginable varieties—from the frantic maniac chained down to the floor, to the person apparently rational on all subjects and in all transactions save one, and whose disorder, though latently perverting the mind, yet will not be called forth except under particular

circumstances, and will show itself only occasionally." Then, in attempting to define sound and unsound mind, this gentleman said:—"A sound mind is one wholly free from delusion, and all the intellectual faculties existing in a certain degree of vigour and harmony; the propensities, affections, and passions being under the subordination of the judgment and the will: the former being the controlling power, with a just perception of the natural connexion or repugnancy of ideas. Weak minds, again, only differ from strong ones in the extent and power of their faculties; but unless they betray symptoms of a total loss of understanding, or of idiocy, or of delusion, they cannot properly be considered unsound."

Then he went on to define, as well as he could, an unsound mind:—"An unsound mind is marked by delusion, mingles ideas of imagination with those of reality; those of reflection with those of sensation; and mistakes the one for the other; and such delusion is often accompanied with an apparent insensibility to, or perversion of, those feelings which are peculiarly characteristic of our nature," &c., &c.

Then with reference to delusion:—"The true criterion, the true test of the absence or presence of insanity, where there is no frenzy or raving madness, seems to be the absence or presence of what, used in a certain sense of it, may be comprised in a single term—viz., delusion. Wherever the patient once conceives something extravagant to exist, which has still no existence whatever but in his own heated imagination; and wherever, at the same time, having once so conceived, he is incapable of being, or at least of being permanently, reasoned out of that conception—such a patient is said to be under a delusion. Insane delusion consists in the belief of facts which no rational person would have believed. This delusion may sometimes exist on one or two particular subjects; though, generally, there are other (symptoms), such as eccentricity, violence, suspicion, exaggeration, inconsistency, &c., which may tend to confirm the existence of delusion, and to establish its insane character."

The Commissioner then quoted some passages from Ray, to exemplify the difficulty of drawing definitions of insanity. The Commissioner then went on to observe:—"In this case the medical men who had been brought before the jury did not agree in their opinion. Different men saw different facts, and came to different conclusions upon those facts; and it was only those who had seen the whole case, and who had seen the lady herself, who could form an accurate opinion as to the existing state of things."

Now, in consequence of what had been said as to whether incompetency to manage property would be a sufficient ground for finding Mrs. Cumming to be of unsound mind, the Commissioner would refer to what was laid down in the matter of Holmes, in the 4th vol. of *Russell's Reports*. In that case a commission of lunacy had issued against Mr. Holmes, and the jury found, "That the Rev. Holmes is not a lunatic, but that partly from paralysis, and partly from old age, his memory is so much impaired as to render him incompetent to the management of his affairs, and consequently of unsound mind; and that he has been so for the term of two years last past." An objection was taken to that finding, inasmuch as it was no answer to the inquiry which the jury were directed to make. It was said the latter clause ("consequently of unsound mind,") was an expression of an inference which the jury had drawn from the fact which they had previously found, and not a distinct and independent finding. This point came before the Lord Chancellor, who gave this opinion:—"It is not necessary to go back to old authorities. We have the law, as it is now to be administered, clearly expounded by Lord Eldon in *Ridgway v. Darwin*. Of late the question has not been whether the party is absolutely insane, but the Court has thought itself authorized (though certainly many difficult and delicate cases with regard to the liberty of the subject occur on that) to issue the commission, provided it is made out that the party is unable to act with any proper and provident management; liable to be robbed by any one; under that imbecility of mind, not strictly insanity, but as to the mischief, calling for as much protection as actual insanity." The law thus stated by Lord Eldon had been acted upon for years; the legislature had not thought proper to interpose. In the case cited the Lord Chancellor directed a fresh commission to issue; and the jury were satisfied as to the insanity of the individual.

That case, therefore, showed, that juries were apt to consider capability, or incapability, of managing property as evidence upon the soundness or unsoundness of mind of the party; and if they came to the conclusion that there was sufficient evidence to show them the party's mind was unsound, it was for them to say that; and not for the Chancellor.

The jury would therefore consider the evidence with reference to this lady's capacity

to manage her property. A slight incapacity would certainly not justify them in pronouncing her of unsound mind, but a positive incapacity would justify them in coming to such a conclusion.

With reference to the Scotch law: in England there was no distinction between taking charge of the person and charge of the property. In Scotland the law was very different. There they had a power of appointing a curator of the property only, and the individual was at perfect liberty to do what he thought fit.

The Commissioner then alluded to the positive hatred of her children which Mrs. Cumming had manifested before the jury; her refusal to answer questions relating to her property. He should have liked those who had the conduct of her case to know the position she was in by refusing to answer. It was impossible not to draw inferences when a person will not or cannot answer. He should have been better satisfied if they could have had a better history of her property.

The Commissioner then adverted to the bearing of the different facts in evidence. It was clear that keeping cats was but an eccentricity at most, unless it was carried to a very great extent. In this case it was not carried to any very great extent. Another leading characteristic was her extreme feelings against her children. The jury were to determine whether those feelings were the feelings for offence given, or whether they were from any morbid disposition antecedent to those feelings. They would consider the marriage of Mrs. Hooper an undoubted act of disobedience; and what had taken place in 1846. Then there was the will, a transaction which could not fail to be matter of suspicion in the minds of the family. She herself assured them she had executed no will. (Mr. Southgate reminded the Commissioner that Mr. Joseph Haynes said it was never engrossed.) It could not be considered as a positive act of insanity. Another part of the case was her habit of changing her residences. It was said she had done that because she had been annoyed wherever she had been. There was also a peculiarity with reference to her solicitors. In 1844, Mr. Dangerfield was her solicitor. Mr. Haynes acted for her through the medium of his brother. Then she seemed to have discarded Mr. Haynes, and to have taken to Mr. Thorne, and then came back to Mr. Haynes.

A material part of the case was her conduct in 1846 when at the asylum. She came before the jury under the former commission. The jury were to assume what took place upon that occasion precisely as if there had been no inquisition at all. No verdict had been given; no opinion had been expressed. He (the Commissioner) had done that which he did not now regret; he had told her she was a free agent, but he had gone further; the lady appeared for the first part of the day without counsel or solicitor. Before, therefore, he discharged the jury, he had asked her whether she had confidence in her counsel and solicitor, who were then appearing for her, taking care not to ask her anything about the arrangement, because that was a thing to which he could not be a party; it had seemed to him that difficulties would arise if the parties were not willing to carry out that arrangement.

Then there was that which was always an important part of the case, but with reference to which they were here to a certain extent left without the usual assistance: he meant the medical testimony; they had a great deal of it, but it was of a conflicting character. On reading through the decision of Lord Campbell, in the House of Lords, in the case to which he had adverted the other day, it seemed to him quite clear, that if the jury were to ask medical men to give their opinion upon what had taken place in court, that would be putting the medical men in the position of the jury. They must have the opinion of a medical man in two points of view—what he says he knows, and the opinion he forms from that knowledge. He, therefore, could not allow the medical men to give the jury that kind of assistance which had been allowed heretofore. They would hereafter go through the evidence given by these medical men. The number examined seemed to be pretty nearly equal upon each side; but that must not guide them: they must look at how often each medical man had attended her, what opportunities he had had of observing her, and of obtaining information, and at the grounds which he gave for the opinions he formed.

It did not seem to him that what the effect was of the settlement of this lady's property had been accurately stated on either side. It might not, indeed, bear materially upon the case, except as to the impression which this lady had as to the extent of her property in 1846—he meant, whether she was entitled to it for life or not. If she held for life only, then the daughters would be giving up to her one-third; if, on the other hand, she had an absolute interest, then she would be giving up two-thirds; having, in either case, the right of disposing of one-third. The Commis-

sioner then quoted the terms of the original settlement of the property, the subsequent settlement by her father in 1809, and his will; he gave his view of the legal position of the parties with reference to the property. It was difficult to say whether she had an estate absolutely, or for life. She had the option of saying, "I will not adopt the deed of 1809; I will take the whole property under the original settlement;" or, on the other hand, "I will not adopt the deed of 1809, and then I will take under the will;" and in the latter case she would have taken the personal property. The object of the suit of 1848, therefore, was, that she should say whether she would take under her father's will or not; and in the result, she gave up her interest under that will, which gave an absolute interest in the personal property of the father, Mr. Prichard, to the children. The Commissioner then pointed out to the jury, that they had to ascertain in what state of mind they thought this lady now was. In order to ascertain that, it was necessary that they should look back. If they should think that she was now of sound mind, there their duty would end. If they thought she was of unsound mind, then they would point out some particular day from which, in their opinion, she had been in that state.

The jury retired to consider their verdict; their deliberation lasted one hour and twenty-five minutes. On returning into court, the Foreman spoke as follows:—"The jury have taken the case into great consideration, and we come into court, sir, to give our verdict—That the jury are unanimously of opinion, that Catherine Cumming is of unsound mind, and incapable of managing herself and her property; and that she has been so from the first day of May, 1846."

The jury then signed the precept in accordance with their verdict, and the proceedings terminated.

Official Reports, in the Case of Mrs. Cumming, to the Lord Chancellor and the Right Hon. the Lords Justices of the Court of Appeal.

THE REPORT OF DR. MONRO AND SIR ALEXANDER MORISON TO THE LORD CHANCELLOR.

" Cavendish-square, 11th Nov., 1851.

" MY LORD—Having visited Mrs. Catherine Cumming for the purpose of examining the state of her mind, Edward Thomas Monro on the 6th and 8th inst., and Sir Alexander Morison on the 27th ult., we are of opinion that she is of unsound mind, upon the following grounds—viz., that she believes her daughters to be her enemies, and plotting against her; that she has every reason to believe that one of them attempted to strangle her, and that poison was given her in a cup, which, upon being analysed by Dr. Barnes five years ago, was ascertained to contain oxalic acid, by which a fowl was afterwards killed.

" These impressions appear to engross her attention so entirely, that they must materially influence her every feeling towards them, and essentially affect the disposition of her property.

" We have the honour to remain,

" Your Lordship's most obedient servants,

" EDWARD THOMAS MONRO, M.D.

" ALEXANDER MORISON, M.D.

" To the Right Hon. the Lord Chancellor."

THE REPORT OF DR. FORBES WINSLOW TO THE RIGHT HON. THE LORDS JUSTICES OF THE COURT OF APPEAL.

" MY LORDS,—In obedience to the instructions contained in your lordships' order, I have the honour to report, for your lordships' information, that I have professionally visited Mrs. Catherine Cumming at her residence, No. 59, Queen's-road, St. John's-wood, and have subjected her to several examinations, for the purpose of ascertaining the

condition of her mind, and competency to manage herself and her affairs. I had two interviews with her, of some duration, previously to her removal from the lunatic asylum at Brixton; I have also visited her since her discharge from the asylum and return to her own residence, on the 22nd, 23rd, 24th, 25th, 26th, 27th, and 28th of November last, and the 1st and 2nd of December instant.

"I have also had a lengthened conversation with Mr. Ince, the son-in-law of Mrs. Cumming, and have perused several affidavits and medical certificates made by parties on both sides in this matter, with the view of acquainting myself with the facts of the case, and the grounds upon which Mrs. Cumming is alleged to be insane.

"I have also had a conversation, upon two different occasions, with Mr. Turner, the solicitor acting for the children of Mrs. Cumming in support of the application for a commission of lunacy.

"The grounds upon which Mrs. Cumming is alleged to be insane are the following:—

"1st. The manifestation on the part of Mrs. Cumming of an unnatural and insane antipathy to her children.

"2nd. Her representation that some years back her daughter, Mrs. Ince, had endeavoured to strangle her.

"3rd. Her assertion that an attempt was made a few years ago to poison her, by means of oxalic acid.

"The above seem to be the principal, and I think the only evidence, apart from the alleged existence of a general incapacity to manage her property referred to in the medical certificates and affidavits, with the view of establishing Mrs. Cumming's insanity. Upon these three points I have examined Mrs. Cumming with considerable care, and at great length. I found, upon my referring to her two daughters, Mrs. Ince and Mrs. Hooper, and to her two sons-in-law, Mrs. Cumming became somewhat, but by no means violently, excited. She admitted that she had been for years at variance with them, but that her antipathy entirely arose from the cruel treatment to which she alleged her children had subjected her. Upon asking for an explanation, she replied, that various efforts had been made by her two daughters and sons-in-law to obtain possession of her property, and to deprive her of personal liberty; that she had been confined for some months in an asylum; that her daughters had, without good or valid reason, instituted proceedings against her, with the view of depriving her of the control of her property, and confining her for life as a lunatic; that at their suggestion, and upon their petition, a commission of lunacy was granted by the Lord Chancellor, but that the matter had been compromised by her children, on condition that she (Mrs. Cumming) would make some assignment of her property to them. Mrs. Cumming complained of having been systematically persecuted for a number of years, and stated that this had engendered in her mind the feeling of dislike which had been adduced as a symptom of her mental derangement. She declared that previously to this ill-treatment she loved her children affectionately.

"Upon asking if she had other reasons for her somewhat unnatural feelings, she said that Mrs. Ince had greatly offended her by encouraging, contrary to her known wishes and protest, a clandestine marriage between her eldest daughter, Thomasine, and a person very much inferior to her in position of life, whose name was Hooper, and who acted as trumpeter to a band. Mrs. Cumming observed, 'That it was natural that she should object to a union so opposed to her daughter's interests and station in life, and that if she had not objected to the match, she would have been fit for a lunatic asylum.' She then again stated, that if her daughters had not made so many efforts to turn her out of her own house, and to obtain possession of her property, she would not have felt towards them any antipathy. 'How can I like my children,' Mrs. Cumming feelingly observed, 'when I recollect how they have treated their mother? But they wanted my money. If I had been poor, they would have left me alone.'

"I then examined Mrs. Cumming with reference to the second allegation—viz., the declaration that her daughter, Mrs. Ince, had attempted to strangle her. Mrs. Cumming's explanation of the matter is in substance as follows:—

'She alleges, that pending the proceedings which the family had instituted against her, with the view of establishing her insanity, her mind was kept in a constant state of alarm and excitement from an apprehension that an attempt was in contemplation to carry her to a lunatic asylum. Knowing, also, that her two daughters were the acting agents in the matter, and had presented a petition to the Court of Chancery, with the view of depriving her of the management of her property, she felt indisposed to see

them. That it was during the time whilst her mind was thus absorbed with the idea of what she conceived to be the harsh, cruel, and unnatural conduct of her children, that Mrs. Ince, without giving any intimation of a visit, rushed into her sitting-room, and violently flung her arms round her neck. That she was so surprised by this unexpected burst of apparent affection, and bearing in mind the proceedings Mrs. Ince had commenced against her, she exclaimed, 'Have you come to strangle me?' or, 'You wish to strangle me.' She maintains it was natural for her, under the circumstances, to have an apprehension of the kind, knowing that her children were plotting against her liberty.

"I then referred to the third fact, adduced as proof of Mrs. Cumming's insanity—viz., that poison had been infused into her milk.

"Mrs. Cumming asserts that her milk was poisoned; she will not say by whom, or for what purpose; but she persists in the declaration that such was the fact, and that the said milk was analyzed by a physician, to whom it was sent, and that he subjected it to proper tests, and found poison in it.

"Considering the first allegation of Mrs. Cumming's insanity—viz., her antipathy to her family, which is alleged to be morbid, and the result of delusive impressions, I would observe, that it is a common feature of disordered minds for such impressions to take possession of the imagination, without there existing the slightest justification for the feeling. A distinction, however, ought to be made between an antipathy which is clearly the effect of a delusion, and a morbid perversion of the natural instincts, and that dislike and aversion which are traceable to, and the probable result of, a course of conduct pursued by those against whom the antipathy is directed. The natural operation of the feelings must not be confounded with those deviations from the healthy current of thoughts the obvious and undoubted products of a mind in an insane condition.

"The matter in dispute in regard to the first allegation resolves itself into a question of fact. Was the conduct of Mrs. Cumming's children such as at all to justify the mother in entertaining so strong, and apparently so unnatural a feeling towards them? If it can be established that they have invariably treated Mrs. Cumming with the kindness, respect, gentleness, and deference due from children to a parent; if it can be proved that she is under a delusion in regard to the daughters having made several attempts to deprive their mother of her personal liberty, and to dispossess her of the control of her property; that no proceedings upon the petition of the children had been instituted to place Mrs. Cumming under the jurisdiction of the Court of Chancery; then I should feel disposed to believe the feeling of aversion manifested by Mrs. Cumming to be morbid in its character, and that her mind is in an unsound state.

"What are, however, the facts of the case? It appears that during her late husband's life, Mrs. Cumming was confined as a lunatic, and in that proceeding her children took an active part, Captain Cumming, her husband, being at the time bedridden. Without wishing for one moment to question the humanity and necessity of the steps taken by Mrs. Cumming's family, on that or any other occasion when Mrs. Cumming's personal free agency had been interfered with, it is important, for a right elucidation of the question, to look at the facts of the case. The first confinement in the asylum took place in May, 1846. In August, 1846, after the death of Captain Cumming, the daughter, or daughters, presented a petition for a commission of lunacy. A commission was issued. Pending this investigation, Mrs. Cumming was restored to her own residence. The inquiry into Mrs. Catherine Cumming's insanity took place in the month of September, 1846, and extended over a period of ten days, during which time Mrs. Cumming was in court, and was subjected by the commissioner to a long examination. The question of Mrs. Cumming's lunacy never went to the jury, as a compromise was proposed and agreed to. The nature of the compromise was as follows:—That the petitioners were to withdraw all further proceedings; that Mrs. Cumming should be immediately discharged from all restraint; that three trustees should be appointed, in whose names her property was to be invested, one to be named by Mrs. Ince and Mrs. Hooper, and one by Mrs. Cumming, and one by the Commissioner. A deed of settlement was to be prepared, under which Mrs. Cumming was to be entitled to the rents and profits of her estates for her life; after her death, one-third of the annual income was to be held by trustees for the separate use of Mrs. Ince for her life, after her death for her husband; and Mrs. Cumming was to have power of appointment over the remaining third; and if power not exercised, then such remaining

third to be divided between Mrs. Ince and Mrs. Hooper, &c., &c. The compromise in question seems to have been signed on the 29th of April, 1847, by two gentlemen of eminence at the bar.

"On the 27th of November, 1851, the family again adopted active measures to deprive Mrs. Cumming of her liberty; and on the joint certificates of Drs. King, of Brighton, and Sir A. Morison, M.D., of London, (the order being signed by Mrs. Ince,) Mrs. Cumming was forcibly taken from her own apartments at Brighton, and brought up to London, and placed in an establishment for lunatics at Brixton.

"It would appear from the previous statement, that Mrs. Cumming's family have, on different occasions (influenced, it may be, by the most humane, but, perhaps, mistaken motives), endeavoured to guard Mrs. Cumming against the operations of extraneous influences by throwing about her person and property the protection of the law. It is not for me to sit in judgment upon their conduct, or to attribute any but the most proper motives for the course they thought necessary to adopt. That the children have been obliged to put themselves prominently forward in the proceedings is an undoubted fact, and one with which Mrs. Cumming appears to be well acquainted. Looking at the case with a knowledge of these circumstances, it becomes a legitimate question whether the antipathy mentioned by Mrs. Cumming has not been engendered in her mind by the course which her children have considered it their duty to take? Whether it is not a natural and not a diseased antipathy? I cannot bring my mind to the conclusion that the aversion which Mrs. Cumming manifests towards her children is the result either of delusive impressions, or the consequence of the perverted affections of a disordered mind. It is possible, considering Mrs. Cumming's advanced age, her natural violence and irritability, her great bodily suffering, and the excitement to which her mind had been exposed for so many years, that she may attach undue importance to facts, and be disposed to be more suspicious of the conduct of others than a person of different temperament, age, and in the vigour of life, would exhibit under similar circumstances. The fact of a compromise having been made during the late Commission of Inquiry, and all proceedings having been abandoned upon the condition of Mrs. Cumming assigning her property to trustees, affords to Mrs. Cumming a reasonable pretext for the impression that her family are not anxious about her person, provided they could obtain possession of her property. I do not say such is a legitimate or logical inference, but is it not a natural one? I therefore dismiss the first ground of insanity, as not, in my judgment, established; and proceed to consider the second fact referred to—viz., the assertion of Mrs. Cumming that her daughter, Mrs. Ince, endeavoured to strangle her.

"When questioned upon this subject, Mrs. Cumming observes, that whatever idea she might formerly have entertained upon the matter, she does not now believe that Mrs. Ince had any such intention as that which she in a moment of irritation and fright attributed to her. She states, that at the time when she used the language from which an inference was drawn that she charged Mrs. Ince with an attempt to strangle her, she was greatly incensed by what she thought to be the harsh and unnatural proceedings of her children. Her belief was, that they would leave no stone unturned to obtain possession of her person and property. With the view of satisfying my mind as to whether Mrs. Cumming was purposely concealing the alleged delusion, I questioned her very closely, but could detect no evidence of the fact. Admitting that such an exclamation was made, I question whether, in the right signification of the term, we should be justified in the opinion that it was a delusion. Ought it not to be viewed (looking at the circumstances by which she was then surrounded) more in the light of an erroneous conclusion—a wrong deduction, than as the creation of a disordered imagination? I therefore dismiss the second allegation of insanity as inconclusive.

"The gravest, and certainly the most important, symptom in Mrs. Cumming's case, I have now to consider—viz., her belief that oxalic acid had been infused into some milk, with the view of poisoning her. As Mrs. Cumming pertinaciously adheres to her assertion that poison was, after analysis, detected in the milk, I have thought it my duty to see and examine the physician to whom the milk was sent for analysis. I am assured by that gentleman, Dr. Robert Barnes, of Gloucester-terrace, Hyde-park, a physician of character and respectability, that he detected poison in the milk, in the form of the superacetate of lead. Of this fact Dr. Barnes says he is prepared to swear. I think the mistake made by Mrs. Cumming as to the nature of the poison is not entitled to any weight in the consideration of the question at issue. The third allegation of insanity ought, after this explanation, to be at once dismissed, as Mrs.

Cumming's impression with regard to the poison appears to have been a fact, and not a delusion. The question suggests itself, how was Mrs. Cumming aware of there being poison in the milk prior to its being subjected to analysis? She informed me that her suspicions were excited by the fact of her cat having refused to drink the milk, and in consequence of several of her fowls having been found dead in the garden; they having been killed, as I am told, by the orders of Mr. Haynes.

"With the view of satisfying myself as to the existence of any impairment of the intellect, incapacitating Mrs. Cumming for the care of herself and the management of her property, apart altogether from the delusions with which she is represented to be afflicted, I subjected her to a careful examination. Mrs. Cumming is capable of conversing rationally and continuously upon most topics, without exhibiting more defect of memory or impairment of the understanding than we have a right to expect in a lady seventy-five years of age, and with her amount of physical suffering. At present it is difficult to abstract Mrs. Cumming's mind from the contemplation of her own distressing case. She informed me that her income ranged between 400*l.* and 500*l.* a-year, and was derivable from property situated in Monmouthshire. I examined her particularly as to the manner in which she had disposed of her property, and what papers she had signed. Her replies to these questions were not as satisfactory as I could desire. She said she had unbounded confidence in her solicitor, Mr. Haynes, who had for many years managed her private affairs; and who had acted most kindly and honourably towards her, and who had, from time to time, rendered to her an account of his proceedings. I should not infer that Mrs. Cumming, at any period of her life, had devoted much attention to her own affairs, from, perhaps, a natural indisposition to attend to matters of business.

"Mrs. Cumming admitted that she had been living beyond her income, but that her reason for so doing was, that as her children had behaved so unkindly to her, she felt little disposition to save money for their advantage. I questioned Mrs. Cumming particularly as to the future disposition of her property. She assured me that if her liberty was guaranteed, she had no desire to disinherit her children; but if they persisted in dragging her from her own house into an asylum, at her advanced age, and with her acute bodily suffering, she saw no reason why her children should possess one penny of her property after her death. Having been informed by Mr. Turner, the solicitor acting for the family, in support of the commission, that prior to Captain Cumming's death and Mrs. Cumming's first confinement as a lunatic, she had manifested some delusions in reference to her husband having had improper intercourse with the servants in the house, and that at this moment her lunacy was obvious when this matter was made the subject of conversation, I made a point of referring to it in my interviews with her. When I asked her the question, whether she had been happy during the period of her husband's life, she replied that she had no wish to revert to the subject of her husband or his faults—that he was dead and buried, and that it was her wish to forget all his faults and failings. When pressed upon the point, Mrs. Cumming observed that Captain Cumming was not exactly what she could have wished; that he certainly was guilty of irregularities, but that she had no wish to talk upon the subject. I inferred from what remarks were subsequently made by Mrs. Cumming, that she believed that her late husband had been improperly connected with one of his servants. I do not, however, think that this ought to be considered as legitimate evidence of Mrs. Cumming's present insanity. If the fact were not as she represents, being naturally suspicious and jealous, she may have given a false colouring to his conduct. Her assertion of his infidelity—her firm belief in the fact—would not, without a minute knowledge of family circumstances, at all justify me in the conclusion that Mrs. Cumming's mind is now unsound upon this point.

"I think it my duty to state that Mrs. Cumming is partially paralysed in both legs, and that she is suffering from great debility and a painful and incurable disease of the bladder, and that her general health is so much impaired, that I question whether her life will be prolonged through the present winter.

"Viewing the case of Mrs. Cumming in all its features, I have the honour to report to the Lords Justices, that I am of opinion that Mrs. Cumming is a person of sound mind, and capable of managing herself and her property.

"FORBES B. WINSLOW, M.D.

"45, Albemarle-street, December 5, 1851."

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AND
MENTAL PATHOLOGY.

JULY 1, 1853.

ART. I.—THE OVERWORKED MIND.*

THE wider spread of literature and science through society, the greater extent of commercial enterprise which has resulted from recent legislative and social changes, the larger amount of political action, whether municipal or parliamentary, accorded to the people, and the deep interest excited by free religious discussion, are causes, sufficiently obvious, for a much higher degree of mental activity than has hitherto characterized the two free nations of the world, the United Kingdom and the United States. Concurrently with this increase of mental activity, there has been a diminution of that amount of corporeal labour which is absolutely necessary to maintain a just balance between the spiritual essence and its organ. The merchant is confined to his counting-house; the student is tempted to push his sedentary habits into the hours required for repose; the politician undergoes every form of mental strain. But, in proportion as the cerebral system is worked, the muscular system is inactive, and at last mental labour is preferred to corporeal exertion, so that the man of thought becomes a mere lounge, incapable of any prolonged bodily effort. It is not surprising that, under these circumstances, there are manifested the phenomena of the OVERWORKED MIND.

Modern psychologists have not failed to notice the results of this

* On the Supposed Increase of Insanity. By Edward Jarvis, M.D., of Dorchester, Mass. Reprinted from "The American Journal of Insanity."

Life of Sir Walter Scott. By Mr. Lockhart.

Remains of H. K. White.

Memoir of Samuel L. Blanchard. By Sir Edward Bulwer Lytton, Bart., M.P.

excessive intellectual activity on the mental powers, particularly with reference to the increase in the numbers of the insane. Amongst the most recent and the most eloquent is Dr. E. Jarvis, of Dorchester, Massachusetts, whose essay "On the Supposed Increase of Insanity," reprinted from the "American Journal of Insanity," is before us. After detailing the statistics of insanity in various nations, and passing in review the prevalence, more or less marked, of the exciting and predisposing causes, Dr. Jarvis observes that "the causes connected with mental labour, in its manifold applications, have increased and are increasing continually. . . . The improvements in the education of children and youth have increased their mental labours, and imposed more burdens upon their brains, in the present than in the preceding ages. The proportion of children who are taught in schools increases every year in the United States, and in most civilized nations. There are more and more of those whose love of knowledge, whose sense of duty, whose desire of gratifying friends, and whose ambition, impel them to make their utmost exertions to become good scholars. Thus they task their minds unduly, and sometimes exhaust their cerebral energies, and leave their brains a prey to other causes which may derange them afterwards. The new sciences which have been lately discovered, or the old sciences that were formerly confined to the learned, but are now simplified and popularized, and offered to the young as a part of their education, multiply the subjects of study, and increase the mental labour of almost all in schools."

This more widely extended education, as well with reference to the number of subjects for study, as of students, has a large influence on the adult mind. Men, and classes of men, Dr. Jarvis remarks, such as in the last century would have thought of nothing but how they should obtain their bread, are now induced to study subjects, and pursue sciences, and burden their brains with great, and sometimes with excessive, labour. New fields of investigation have been laid open within the last hundred, and especially within the last fifty, years. New inducements are offered, so that a greater variety of tastes is invited to their peculiar feasts of knowledge. Many persons now study phrenology, metaphysics, mathematics, physiology, chemistry, botany, and other branches of natural history, to say nothing of mesmerism, biology, &c. In this multiplication of students and of subjects for study, it is not surprising that some sink under the difficulties with which their weak judgments or enervated mental faculties are unable to grapple. Dr. Jarvis also refers, with great justice, to those public moral questions, which now more than formerly interest men's minds; as diet, tem-

perance, public hygiene, &c.; all of which impose much mental labour on minds but imperfectly trained to endure it.*

Increased insanity is not, however, the only result of this excessive cerebral activity. It exercises an important influence on individuals of great social power, as writers, or statesmen, and upon the general mass of individuals in society. As to the former, the individuals themselves are the greatest sufferers; as to the latter, society. It cannot be doubted, we think, that if any agents, operating generally, so modify the corporeal organization, and the modes of mental action of large numbers of individuals (in virtue of their *general* operation) become imperfect, irregular, and unhealthy, we shall have the results displayed on a large scale in national eccentricities, and bizarre, peculiar, and unusual modes of thought and action, in sections and groups of individuals. And this proposition being granted, it further follows, that neither the political economist nor the philosophical statesman can be indifferent to the social condition of the people, as regards their intellectual development, and their too great or irregular exercise of the material organ of the mind. The psychologist and theologian will also enter upon the consideration of this matter with special interest, if he be thereby enabled to explain the deviations from a sound judgment on men and things, and the obliquity of moral vision, displayed by men of no obscure or unimportant position in the world of letters and philosophy. Superstitious and unhesitating credulity, and a strange cunning, have not been manifested in the lower or lowest classes exclusively. The national universities and the three learned professions have sent forth men who have adopted and strenuously promulgated dogmas so extraordinary, so irrational, and so utterly unfounded on fact, that their conduct has been referred to a form of monomania, or to wilful falsehood adopted for interested purposes. Yet probably the causes are really more on the surface, and are simply to be found in the corporeal results of an imperfect mental hygiene.

* "Marsilius Ficinus," Burton observes, "gives many reasons why students *dote* more than others: the first is their negligence. Other men look to their tools: a painter will wash his pencils; a smith will look to his hammer, anvil, forge; an husbandman will mend his plough-irons, and grind his hatchet if it be dull; a falconer or huntsman will have an especial care of his hawks, hounds, horses, dogs, &c.; a musician will string and unstring his lute, &c.; only scholars neglect that instrument (their brain and spirits, I mean) which they daily use, and by which they range over all the world, which by much study is consumed. The second is contemplation, which dries the brain and extinguishes natural heat; for, whilst the spirits are intent to meditation alone in the head, the stomach and liver are left destitute, and thence come thick and black blood from crudities, and for want of exercise the superfluous vapours cannot exhale."

The present social condition of civilized European nations has had its counterpart in all ages, and therefore presents numerous *historical* points of interest. A very cursory consideration of it from this point of view shows that the causes are complex, although obvious. These we have not at present, however, to investigate; as we propose on this occasion rather to consider the pathology and cure of the *overworked mind* in individuals. We cannot, however, pass over a remarkable illustration of the general fact we have stated, presented to us in the quaintly erudite pages of Burton. In his introduction to the "Anatomy of Melancholy," under the title of "Democritus to the Reader," Burton quotes at length from the Hippocratic writings the description of the visit of Hippocrates to Democritus, at the instance of the citizens of Abdera, who thought their philosopher and benefactor had become insane. Burton adds what fits to the present time: "Never so much cause of laughter as now; never so many fools and madmen. 'Tis not one Democritus will serve turn to laugh in these days; we have now need of a *Democritus to laugh at Democritus*, one jester to flout at another, one fool to fear at another—a great stentorian Democritus, as big as that Rhodian colossus; for now, as Salisburiensis said in his time, *totus mundus histrionem agit*—the whole world plays the fool: we have a new theatre, a new scene, a new comedy of errors, a new company of personate actors. . . . He that was a mariner to-day, is an apothecary to-morrow, a smith one while, a philosopher another, *in his volupie ludis*—a king now with his crown, robes, scepter, attendants, by and by drove a loaded ass before him like a carter; and if Democritus were alive now he should see strange alterations, a new company of counterfeit vizards, whiffers, Cumane asses, maskers, mummers, painted puppets, outsides, phantastick shadows, guls, monsters, giddy-heads, butterflies. . . .

‘ ———— ubique invenies
Stultos avaros, sycophantas prodigos.’ ”

Amongst the causes which operate most influentially in exciting these social aberrations, one of the most potent is, undoubtedly, the over-stimulated, over-worked, irregularly developed mind. It is a law of nature that health, ease, and order shall spring from labour, or from due use of the organs according to their appointed functions. This is universal. The "primal curse" is thus converted into a blessing. In all creation the due and regular performance of the allotted duties is rewarded by pleasing sensations, strength, and beauty, the undue and irregular, by pain, feebleness, deformity. This law holds good of the psychal as well as the physical, of the moral as well as the material.

"Through much tribulation ye shall inherit the kingdom," is a profound truth, whether that empire be corporeal power and beauty, or mental power and virtue. Here labour, however, is not thus rewarded. It must be well-directed, in harmony with the needs and powers of the individual—general, as regards the use of the organs, and not partial. Excessive labour in one exclusive direction produces corporeal deformity and mental obliquity. Just as the nursery-maid becomes the subject of spinal curvature and deformity, from the exclusive use of the right arm in carrying her precious burden, so the man of thought, who directs the energies of his powerful intellect to one subject or class of subjects, becomes mentally deformed. His judgment becomes one-sided, to use an expressive Germanism, or even imbecile, his manners bizarre, his conduct eccentric. It is thus that the eccentricities of men of genius are manifested, even to a proverb.

The evils of excessive study generally, and not simply in one exclusive direction, manifest themselves in morbid conditions of the organ of thought, which, reacting on the mind itself, disorder its manifestations. Hence, it has often been observed how narrow the bounds are between great genius and madness; how frequently the organ breaks down under the strain to which it is subjected. Hence it is that many intellectual suns have arisen in brightness, and set in clouds and darkness; have illumined the world by their morning or mid-day glory, and then have been for ever eclipsed by suicide, insanity, or idiocy:—

"From MARLBOROUGH'S eyes the tears of dotage flow,
And SWIFT becomes a driveller and a show."

Intermediately between the states of perfect vigour and complete disorganization, there are various phases of mental disorder, more distressing, perhaps, to the subject than even total extinction. No man feels more acutely than the man of letters, or the subject of prolonged intellectual labour, that state of mind in which every effort of thought is wearisome, and every object of thought is seen through a medium of gloom, anxiety, and dread. To such, existence is really a burden too heavy to be borne, and the endurance of life, under these circumstances, is probably as heroic an effort of fortitude as the endurance of a cruel martyrdom. The biographies of distinguished authors contain many touching instances of this kind.

Another result of mental toil is seen, not in the disorganization of the fibre of the brain so much as in the wearing out of the vascular system. Every effort of thought is accompanied by an expenditure of living material. The supply of this material is through the blood; hence the blood is sent in greater quantity to the brain in thought, and

when the increased demand is constant, an increase in the vascular capacity of the brain becomes necessary, and is provided by the adaptive re-action of the organism. During the earlier periods of life this development of the blood-vessels only ministers to the vigour of the intellectual action; but when the decline of life commences, and the wear and tear of previous years shows itself, the increased vascularity is a source of danger, and lays the foundation for those diseases which depend upon congestion of the brain. Hence it is that apoplexy and palsy so frequently terminate the lives of great thinkers and writers. Hence, also, the proclivity of the literary and intellectual class to suffer fatally from those fevers and other diseases which attack the brain in preference to less important organs; and hence the distressing, sudden, and premature deaths of men of genius from causes and diseases apparently trivial. In some individuals, particularly those with co-existent disease of the heart and lungs, the vascular system gives way at once, and inflammation or apoplexy, epilepsy or acute mania, supervenes. The prime ministers of Austria and Prussia, during the recent revolutionary period, both succumbed to the overstrain of their material organ. Count Brandenburg, of Prussia, died of inflammation of the brain after only a very short illness; Prince Schwartzburgh of Austria perished in a moment, of apoplexy.

These various modifications of the mental condition are by no means the absolutely necessary results of mental labour. In the greater majority of studious men there already exists a predisposition to cerebral diseases, or else these are or have been present. This is manifested in various ways. In Scott and Byron the deformity of the foot and leg (*talipes*) of which they were the subject, indicated that a nervous attack occurred during intra-uterine life, of a paralytic or spasmodic character. Such an occurrence is apt to be accompanied by modifications of the mental characteristics: in some instances, by downright idiocy—this when the spasmodic attack has been severe and the deformity great; in others, by eccentricity, impetuosity of temper, waywardness, genius—and this when there is only a slight deformity, as a slight squint, twist of the foot, &c. Byron had, as a child, a temper sullenly passionate. In his case, the proclivity to irregular action of the nervous system and the peculiarity of temper were derived from his parents. His paternal ancestors were remarkable for their eccentricities, irregular passions, and daring recklessness; and his mother was liable to ungovernable outbursts of temper and feeling. With such parentage, and so constituted, it is not remarkable that Byron fell so early. It is not without a feeling of melancholy that we have perused Moore's account of his last moments; for the gifted bio-

grapher himself became subsequently the victim of his ardour, and his own glorious faculties were extinguished by mental, though not corporeal, death. Writing of Byron, he states: "The capricious course which he at all times pursued respecting diet—his long fastings—his expedients for the allayment of hunger—his occasional excesses in the most unwholesome food—and, during the latter part of his residence in Italy, his indulgence in the use of spirituous beverages—all these could not be otherwise than hurtful and undermining to his health. When to all this we add the wasteful wear of spirits and strength from the slow corrosion of sensibility, the warfare of the passions, and the workings of a mind that allowed itself no Sabbath, it is not to be wondered at that the vital principle in him should so soon have burnt out, or that, at the age of thirty-three, he should have had—as he himself drearily expresses it—'an old feel.' To feed the flame, the all-absorbing flame, of his genius, the whole powers of his nature, physical as well as moral, were sacrificed—to present the grand and costly conflagration to the world's eyes, in which,

' Glittering like a palace set on fire,
His glory, while it shone, but ruined him ! ' "

The fever of which Byron died displayed its fatal effects principally on the cerebrum. Whether the copious bleeding which was practised for his cure was judicious or not, we do not pretend to decide. We can affirm generally, however, that men and women so constituted seldom bear bleeding. The fate of the lamented Malibran comes to our remembrance, as we record Byron's protest against the depletion which was practised in his case. Referring to the opinion, as expressed by Dr. Reid in his essays, to the effect, "that less slaughter is effected by the lance than the lancet," he observed, "Who is nervous, if I am not? And do not those other words of his, too, apply to my case, where he says, that drawing blood from a nervous patient is like loosening the cords of a musical instrument whose tones already fail for want of sufficient tension? Even before this illness, you yourself know how weak and irritable I had become; and bleeding, by increasing this state, will inevitably kill me." We believe it is now thoroughly established amongst all judicious practitioners, that patients who have great cerebral activity, not only do not bear bleeding well, but have their lives endangered by loss of blood. We could refer to warning examples, if it were not a painful and invidious task to select them. We can assert with great certainty, however, that the *pabulum vitæ* must not be rashly withdrawn from the *overworked mind*.

Perhaps there is no more touching and instructive psychological his-

tory than that which details the phenomena of mental decadence, and bodily decline, amidst which the hand of the mighty magician of the north,

“Who rolled back the current of time,”

drooped—at last in helpless paralysis. In this mournful history (which, as detailed by Lockhart, we can never peruse without some wellings of emotion), there is chronicled the special physiology and pathology of the overworked mind. It is the history of a “case,”—too common, alas!—not to be neglected by those who now mount as upon the wings of eagles. At a time when pecuniary difficulties added to his mental labours, Sir Walter had to tug at the literary oar, and paid the first “penalty of his unparalleled toils” on the 15th February, 1830, when he had a slight apoplectic attack, more than two years and a half before his death. Mr. Lockhart justly remarks,—“When we recollect that both his father and elder brother died of paralysis, and consider the terrible violences of agitation and exertion to which Sir Walter had been subjected during the four preceding years, the only wonder is, that this blow (which had, I suspect, several distinct harbingers) was deferred so long; there can be none that it was soon followed by others of the same description.” Sir Walter was not without sufficient warning, but the long habit of literary labour was too strong for him; and after so distinct a notice of the state of the material organ, he still worked as industriously as ever. During the following winter his state of mind was distressingly shown to his amanuensis. Mr. Lockhart observes,—“A more difficult and delicate task never devolved upon any man’s friend, than he had about this time to encounter. He could not watch Scott from hour to hour—above all, he could not write to his dictation—without gradually, slowly, most reluctantly, taking home to his bosom the conviction that the mighty mind, which he had worshipped through more than thirty years of intimacy, had lost something, and was daily losing something more, of its energy. The faculties were there, and each of them was every now and then displaying itself in its full vigour; but the sagacious judgment, the brilliant fancy, the unrivalled memory, were all subject to occasional eclipse.

‘Along the chords the fingers stray’d,
And an uncertain warbling made.’

Ever and anon he paused and looked round him, like one half-waking from a dream, mocked with shadows. The sad bewilderment of his gaze showed a momentary consciousness that, like Samson in the lap of the Philistine, ‘his strength was passing from him, and he was becoming weak like unto other men.’ Then came the strong effort of aroused will—the clouds dispersed as if before an irresistible current of

purser air—all was bright and serene as of old, and then it closed again in yet deeper darkness." Under these circumstances it was no wonder that his medical advisers assured him repeatedly and emphatically that if he persisted in working his brain, nothing could prevent his malady from recurring with redoubled severity. His answer was, "As for bidding me not work, Molly might as well put the kettle on the fire, and say, *now don't boil*. . . . I foresee distinctly, that if I were to be idle, I should go mad!" The fate of Swift and Marlborough were also before his eyes; and in his journal there is an entry expressive of his fear lest the anticipated blow should not destroy life, and that he might linger on, a driveller and a show. "I do not think my head is weakened" (this was a subsequent entry)—"yet a strange vacillation makes me suspect. Is it not thus that men begin to fail—becoming, as it were, infirm of purpose?"

"That way madness lies—let me shun that.
No more of that ——."

And when at the court house of Jedburgh he faced the rabble populace and braved their hootings, the same idea of impending calamity was still present to his mind, as he greeted them on turning away, in the words of the doomed gladiator, "*Moriturus vos saluto*." "As the plough neared the end of the furrow," to use Scott's own expressive phrase, he was still urged on by his fixed habits of labour. "Under the full consciousness that he had sustained three or four strokes of apoplexy or palsy, or both combined, and tortured by various attendant ailments, cramp, rheumatism in half his joints, daily increasing lameness, and now of late gravel, (which was, though last, not least,) he retained all the energy of his will, and struggled manfully against this sea of troubles."

Perhaps there is nothing more remarkable in literary men than this enchantment with labour, and hardly anything less distressing when rest is needed. The mind seems as if it were a wild horse, to which the body is helplessly fastened; or as if it were an imperious tyrant, demanding incessant toil. Hardly is one literary undertaking completed—often before the finishing touches are put to the work—and the "maker" is casting about for another undertaking. This peculiarity in literary men is one of the most obvious, most strongly marked, and most fatal.

Leland was the Sir Walter Scott of his day. Beloved by his king and devoted to the history and antiquities of his country, like Scott, he was a more accomplished scholar; for his ample mind embraced the languages of Greece and Italy, of modern times, and of those out of which English arose. He was a great traveller on the European

continent, and he cultivated poetry with ardour. As the "king's antiquary," he spent six years in the survey and study of our national antiquities. He travelled over every county; surveyed towns, cities, and rivers, examined castles, cathedrals, monasteries, tumuli; investigated coins, and copied manuscripts and inscriptions, "yn so muche that," (as he writes, in his 'New Year's Gift to Henry VIII.') "al my other Occupations intermitted, I have so traveled yn yowr Dominions booth by the Se Costes and the midle Partes, sparing nother Labor nor Costes, by the space of these vi Yeres paste, that there is almoste nother Cape, nor Bay, Haven, Creke or Peere, River, or Confluence of Rivers, Breches, Waschis, Lakes, Meres, Fenny Waters, Montaynes, Vallies, Mores, Hethes, Forestes, Chases, Wooddes, Cities, Burges, Castelles, principale Manor Placis, Monasteries, and Colleges, but I have scene them; and notid yn so doing a hole worlde of Thinges very memorable." The vast accumulations of materials which resulted from this industry, occupied him another six years to shape and polish. And his bibliographical were as great as his itinerant labours. He was learned in "Greck, Latin, French, Italian, Spanish, British, Saxon, Welsh, and Scottish" literature. Like Sir Walter Scott, he was an ardent patriot, and the great end and aim of all his toils was the renown of his native land. He trusted so to write its ancient history, that the old glory of renowned Britain should "reflorisch thorough the worlde." But the mighty intellect succumbed to the overwhelming struggle. His conceptions were too great for his frame; so that when about to complete his undertaking he became maniacal, and died in his fortieth year; or, in the words of honest William Burton the antiquary, "Sed cum hoc rude chaos et pergrandis acervus digerendus et in ordinem methodicum redigendus esset, nam vel sui diffidentia non perficiendi hæc magna quæ pollicitus est laborans, vel terrore immensitatis tantæ et tam vastæ molis devictus, confuso et vitiato cerebro è potestate mentis suæ decedit et phrenetica mania (quod lugendum sane) expiravit." The melancholy that cherishes genius may also destroy it, is the sound remark of the author of "The Curiosities of Literature." "Leland brooding over his voluminous labours, seemed to love and to dread them; sometimes to pursue them with rapture, and sometimes to shrink from them with despair." He feared, to use his own language,

" ————— ne pereant brevi vel hora
Mularum mihi noctium labores
Omnes, et patriæ simul decora
Ornamenta cadant."

Insanity, in its various forms, is by no means an unfrequent result of an overworked mind. A painfully interesting illustration is afforded to us by a little episode in Miss Mitford's "Recollections," respecting

Clare, as the insanity was rather that of the imagination than the instincts or feelings. Miss Mitford remarks, "A few years ago he was visited by a friend of mine, who gave me a most interesting account of the then state of his intellect. His delusions were at that time very singular in their character; whatever he read, whatever recurred to him from his former reading, or happened to be mentioned in conversation, became impressed on his mind, as a thing that he had witnessed and acted in. My friend was struck with the narrative of the execution of Charles I., recounted by Clare as a transaction that had occurred yesterday, and of which he was an eye-witness; a narrative the most graphic and minute; with an accuracy as to costume and manners far exceeding what would probably have been at his command if seen. It is such a lucidity as the disciples of Mesmer claim for clairvoyance. Or he would relate the battle of the Nile and the death of Nelson with the same perfect keeping, especially as to seamanship, fancying himself one of the sailors who had been in the action, and dealing out nautical phrases with admirable exactness and accuracy, although it is doubtful if he ever saw the sea in his life."

But, perhaps, of all the ills to which excessive mental labour gives rise, *melancholia* and the *suicidal* monomania are the most distressing. The insane hand has thus stolen away many a valuable life, which might with the most ordinary precaution have been saved. The lamented death of the late Marquis of Londonderry, supervened upon excessive devotion to those toils of state, which, for some few days at least before his death, manifested the ravages they were committing on the organ of intellect. Often the attack is sudden, oftener it is preceded by a predisposition to lowness of spirits, and by thoughts of the most depressing kind. Sir Walter Scott remarks upon this state of feeling when he would have thrown away his life, as a child a broken toy: "Imagination renders us liable to be the victims of occasional low spirits. All belonging to this gifted, as it is called, but often unhappy class, must have felt that but for the dictates of religion, or the natural recoil of the mind from the idea of dissolution, there have been times when they would have been willing to throw away life as a child does a broken toy. I am sure, I know, one who has felt so. O God! What are we?—Lords of nature?—Why, a tile drops from a house-top, which an elephant would not feel more than the fall of a sheet of pastboard, and there lies his lordship. Or something of inconceivably minute origin, the pressure of a bone, or the inflammation of a particle of the brain takes place, and the emblem of the Deity destroys himself or some one else." The narrative of the poet Cowper, in which he describes his mental condition during one of

his paroxysms of suicidal melancholia, is as touching as it is instructive. The intolerable anguish—the impulse to self-destruction—the vain struggle to resist, or bravely endure :

“O wretched state! O bosom! black as death!
O limed soul, that, struggling to be free,
Art more engaged! Help, Angels, make assay!”*

Perhaps amongst the modern victims of overwork who thus perished, Samuel Laman Blanchard merits special notice. His memoir, by Sir Edward Bulwer Lytton, prefixed to his “Sketches from Life,” is a touching biographical sketch. “Few men had experienced more to sour them than Laman Blanchard, or had gone more resolutely through the author’s hardening ordeal, of narrow circumstance, of daily labour, and of that disappointment in the higher aims of resolution, which must almost inevitably befall those who retain ideal standards of excellence, to be reached but by time and leisure, and who are yet condemned to draw hourly upon unmaturing resources for the practical wants of life. To have been engaged from boyhood in such struggles, and to have preserved, undiminished, generous admiration for those more fortunate, and untiring love for his own noble yet thankless calling; and this with a constitution singularly finely strung, and with all the nervous irritability which usually accompanies the indulgence of the imagination, is a proof of the rarest kind of strength, dependent less upon a power purely intellectual, than upon the higher and more beautiful heroism which woman, and such men alone as have the best feelings of a woman’s nature, take from instinctive enthusiasm for what is great, and uncalculating faith in what is good.” Like Byron, Laman Blanchard had a predisposition to cerebral disorder. At an early age he experienced a paroxysm of suicidal excitement; in the earlier part of his life he abstained wholly from animal food—an undoubted mark of eccentricity to the eye of the physician, whatever vegetarians may say or think; and it was during an acute attack of cerebral irritation that he perished. It was ushered in, however, with the usual warnings. When eking out his income by “a constant waste of intellect and strength,” his wife was seized with paralysis and became subject to fits. His vivacity now failed him, and he became subject to deep depression of spirits. “His friends, on calling suddenly at his house, have found him giving way to tears and vehement grief, without apparent cause. In mixed society he would strive to rally; sometimes with success—sometimes utterly in vain. He has been obliged to quit the room to give way to emotions which seemed

* *Hamlet, Prince of Denmark*, act iii., sc. 3.

to arise spontaneously, unexcited by what passed around him, except as it jarred, undetected by others, upon the irritable cords within. In short, the nerves, so long overtasked, were giving way. In the long and gallant struggle with circumstances, the work of toil told when the hour of grief came." Amidst all this, his constant thought was of fresh literary enterprises; a "liméd soul" he was, yet not struggling to be free. So long had he toiled that the image of toil literally dogged him. He chalked out schemes, more numerous, and even more ambitious than any in which he had before indulged. Amongst the rest he meditated "a work upon the boyhood and youth of eminent men;" (we quote his biographer) "on which he wrote to consult me, and for which I ransacked my memory to supply him with anecdotes and illustrations. He passed whole days—even weeks—without stirring abroad, writing and grieving as it were together."

In this short sketch, how clearly the psychiatric practitioner recognises the premonitory symptoms of cerebral congestion—how deeply he grieves that no warning voice was raised—no helping hand stretched forth to snatch him from the abyss, upon the verge of which he evidently stood. The rest followed quickly. Intolerance of light—an attack of hemiplegia—imperfection of vision—spectral illusions—terrible forebodings of some undefined calamity—violent delirium—suicidal impulse—and then the act itself.

We once more quote his biographer—because some apology is due to our readers for this harrowing history—for the moral. "Thus, at the early age of forty-one, broken in mind and body, perished this industrious, versatile, and distinguished Man of Letters. And if excuse be needful for dwelling so long upon details of a painful nature, it may be found in the deep interest which science takes in the pathology of such sufferers, and in the warnings they may suggest to the labourers of the brain when the first ominous symptoms of over-toil come on, and while yet repose is not prescribed too late."

Laman Blanchard was the biographer of a kindred sufferer—L. E. L. *Her* history, also, is not without an emphatic warning; but we forbear to dwell longer upon this painful subject. There is one other result of mental labour which, however, deserves notice—namely, that in which the horrors of confirmed *hypochondriasis* afflict the toiler. This shows itself, not merely in the common form of weak fancies as to the bodily health, or in unaccountable gloom, but also in a less understood form, in which the judgment is weakened, and the individual gets committed to some intellectual folly in science or literature, religion or politics. The man is not actually insane, or, if insane, there is method in his madness; but his feelings are easily acted upon, his credulity is un-

bounded, and his actions consequently unworthy his reputation or his intellect. We feel that this is delicate ground, and we therefore avoid specifying particular instances, not desiring to hurt conscientious convictions, whether in science or religion, although they are only held and expressed after (as we think) the mind is weakened by overwork. We may, however, quote here a medical review of high authority, without risk of offence. The remarks are made in reference to the disease termed "cerebropathy" by some, by others "nervousness," and by others "brain-fag," treated very successfully by certain empirics:—"A disease of literary, political, and professional men—of men who have changed night into day, either in the pursuit of science, literature, or pleasure, and robbed the brain of the repose necessary to its vigorous action. In such, a hypochondriacal condition verging upon insanity is the real state: the brain is enfeebled, the mind is in a degree imbecile, the imagination predominant. It is with this disease upon them, that men of refinement, of genius, of learning, of high station in their respective walks, fall a prey to quacks, religious and medical, and become the subjects of homœopathic, hydropathic, and mesmeric treatment; or, still worse, abandon friends and the healthy useful employments of vigorous manhood, for the pursuit of ecclesiastical phantoms or the rigour of an ascetic 'retreat.'"

Although we have hitherto illustrated the history of the overworked mind by examples drawn from literature, we do not by any means wish it to be understood that it is peculiar to this class of intellectual toilers. The bar, the parliament, the exchange, the universities, and the numerous minor channels in which energetic mental labour predominates, all supply ample illustrations. Still, in the literary class of men we have presented to us the *type* of the whole, and whatever is applicable to them is applicable also to the others. There are varieties, however, determined more or less by the sedentary, or gregarious, or active habits, of the individual; and there is one important class of overworkers, in whom the brain is worked before it has attained its full development and capacity for labour. This class includes *young* persons of all kinds, to whom academical emulation, or the *res angustæ domi*, acts as a stimulus to excessive mental toil.

Perhaps the *overworked student* is as familiar an instance of the fearful results which follow on excessive mental culture, as the overworked literary man. The universities and colleges afford numerous examples, and it is somewhat difficult to select one from the number. It is of importance to remember that the glaring instances (such as that of Henry Kirke White) are not the most instructive or the most frequent. For one victim who sinks down in the heat of the battle,

amidst the sympathies of an admiring public, two or three are doomed to a life of dull mediocrity or intellectual imbecility. The violent effort may not have induced insanity, or any obvious disease of the intellect, yet from the time that it was accomplished, the student ceases to labour as was his wont, and the early promise of talent and usefulness is effectually defeated. It was the fate of Southey to suffer at the close of his career from the same cause which arrested the course of the two brother poets whose sufferings he related, namely, Chatterton and Kirke White. Chatterton was an illustration of the indigent *littérateur* perishing by his own hand, White of the student ambitious for academic honours, perishing at the moment of victory. White overworked himself before he went to Cambridge, and had doubtless thereby enfeebled a cerebral fibre never strong. While still an articled clerk at the age of eighteen, we are informed by his biographer that after the ordinary duties of the day, he "allowed himself no time for relaxation, little for his meals, and scarcely any for sleep. He would read till one, two, three o'clock in the morning; then throw himself on the bed, and rise again to his work at five, at the call of a *larum*, which he had fixed to a Dutch clock in his chamber. Many nights he never lay down at all. It was in vain that his mother used every possible means to dissuade him from this destructive application." His health soon sunk under these habits; and his constitution experienced a shock which it never recovered. During his first term at Cambridge he had to try for a university scholarship, as well as to pass the general examination. "Once more he exerted himself [for the latter] beyond what his shattered health would bear, and he went to his tutor, Mr. Catton, with tears in his eyes, and told him that he could not go into the hall to be examined. Mr. Catton, however, thought his success here of so much importance, that he exhorted him with all possible earnestness to hold out the six days of the examination. Strong medicines were given him, to enable him to support it; and he was pronounced the first man of his year. But life was the price which he was to pay for such honours as this: and Henry is not the first young man to whom such honours have proved fatal. He said to his intimate friend, almost the last time he saw him, that were he to paint a picture of Fame crowning a distinguished under-graduate after the senate-house examination, he *would represent her as concealing a death's head under a mask of beauty.*" In his letters, Kirke White gives sad glimpses of the state of his mind while at Cambridge. He was overwhelmed, previously to his examination, with melancholy. "I wandered up and down," he writes at the close of 1805, "from one man's room to another, and from one college to another, imploring

society, a little conversation, and a little relief of the burthen which pressed upon my spirits." In February following (1806) he says, "The state of my health is really miserable; I am well and lively in the morning, and overwhelmed with nervous horrors in the evening. I do not know how to proceed with regard to my studies—a very slight overstretch of the mind in the day-time occasions me not only a sleepless night, but a night of *gloom* and horror. The systole and diastole of my heart seem to be playing at ball—the stake my life." How significant these premonitory phenomena—how vivid the warning to him who could read them aright. The next stage (of congestion) our readers will be prepared for. "Last Saturday morning" (we quote again from one of his letters, dated July, 1806) "I rose early, and got up some rather abstruse problems in mechanics for my tutor, spent an hour with him, between eight and nine, got my breakfast, and read the Greek history (*at breakfast*) till ten, then sat down to decipher some logarithm tables. I think I had not done anything at them when I lost myself. At a quarter past eleven my laundress found me bleeding in four different places in my face and head, and insensible. I got up and staggered about the room, and she, being frightened, ran away and told my Gyp to fetch a surgeon. Before he came, I was sallying out with my flannel gown on, and my academical gown over it," &c. A few weeks after this he went to London to relax—"the worst place," as Southey very correctly remarks, "to which he could have gone; the variety of stimulating objects there hurried and agitated him, and when he returned to college he was so completely ill that no power of medicine could save him. His mind was worn out; and it was the opinion of his medical attendant, that if he had recovered, his intellect would have been affected." He first became delirious, then sunk into stupor, and so died. How pregnant a warning is this history to ambitious tutors and parents! What a lesson against aiming for "the bubble reputation" instead of a fitness for solid usefulness through a prolonged life. A sad disappointment, indeed, it is,—to quote White's own lines,—

"————— to find,
When life itself is sinking in the strife,
'Tis but an airy bubble and a cheat!"

Having so fully illustrated the consequences of unnatural toil of the mind, it is incumbent on us to point out the remedy. This has been long understood, and is obvious. In one word, it is REST. It is the removal of the cause—the first step in the cure of all diseases. But it is not so easy to apply this remedy to the special cases under consideration, partly because in by far the larger proportion the toil is almost

imperatively demanded by circumstances, partly because, as we have seen, the habit for labour of the kind has so fixed itself, that it is all but irresistible. It is of far greater importance that the labourer shall so labour that he shall gather strength, and not weakness, from his toil, in accordance with the order of Divine Providence. To this end there is only one way, namely, to labour in humble subjection to the laws of our mental and corporeal well-being. Intellectual labour need not necessarily induce the frightful ills we have described or catalogued; on the contrary, it is that by which the progressive development of mankind as a created being can alone be secured. It is therefore not merely the privilege, but the duty of every man to work his intellectual faculties to the utmost limit consistent with sound health, so that he may thereby not only add to the general stock of wisdom and knowledge, but also so act upon himself corporeally, that some part of that improvement in his mental powers with which mental labour rewards him, may be transmitted to a vigorous offspring.

In analysing the histories of many victims to intellectual toil, we cannot but be struck with the general fact, that a total disregard of their *bodily* health was as much a moving cause of their disasters as their prolonged mental efforts. The man who neglects the ordinary appliances of health, and the ordinary rules of existence, cannot fail to suffer. Nervousness, and melancholy, and low spirits, are as much the lot of the luxurious, the indolent, and the dissipated, as of the man of letters, the statesman, or the merchant. The prevention of the morbid results we have alluded to is comprised in the word SELF-DENIAL. A voluminous writer of the last century lived to be 87 years of age. He not only was a great commentator, a philosopher, an encyclopædist, a divine, but he had upon his mind the care of the whole body of "the people called Methodists," and who now bear his name. It was only by his sound common sense, his self-denial, and his sense of duty, that he was enabled to be "in labour more abundant." As an amusing instance of John Wesley's practical common sense, we extract the following from his advice to his preachers, whom he ruled as a preceptor as well as a father. Some of them were complaining at a "Conference" held at Leeds in the year 1778, of being "nervous," and suffering from nervous disorders. As to these, he observes, (we quote from the published minutes)—

"Q. What advice would you give to those that are nervous?

"A. Advice is made for them that will take it. But who are they? One in ten, or twenty?

"Then I advise:—

"1. Touch no dram, tea, tobacco, or snuff.

- " 2. Eat very light, if any supper.
- " 3. Breakfast on nettle or orange-peel tea.
- " 4. Lie down before ten;—rise before six.
- " 5. Every day use as much exercise as you can bear; or,
- " 6. MURDER YOURSELF BY INCHES!"*

We do not know that much can be added to this quaint but sound advice. Daily exercise, early rising, the total abnegation of spirits, fermented drinks, tobacco in any form, and tea, dinner in the middle of the day, are rules which any intelligent man must see are particularly applicable to those who work the nervous system exclusively. Daily exercise must be taken to balance cerebral with muscular activity. Stimulants to the nervous system must be avoided, because it is already over-stimulated by thought. Repose for the brain and sensorial nerves, must be secured by going early to rest, because nature has ordained that repose is necessary for their healthy action, and because the hours of darkness after sunset, are universally the hours of repose of those animals that are not nocturnal in their habits. Abstinence from gross living is requisite, because the waste of the system is not in the muscles but in the *minor* agent, as regards material extent—the cerebrum.

It is, perhaps, as to the mode in which these habits can be practised that there will be the greatest difference of opinion. It is very easy to prescribe daily exercise to the hard-working statesman, or man of letters, or professional man, but how is he to secure it amidst the hurry of metropolitan life, and in the wilderness of baked clay and granite of metropolitan streets? Early to rest may be most wholesome, but how is it practicable with the present arrangements of daily life in the larger towns? Strong tea may be "bad for the nerves," but without it the jaded student truly says, "I should have no nerves at all! and as for avoiding tobacco, how could I exist without my delicious Havannah, the sole solace of my studies?" Thus, secondary circumstances, as well as the primary necessity, bind the intellectual labourer to a wearisome health-destroying cycle of influences to which he is helplessly subject, and from which it is only by efforts, almost superhuman, that he can escape.

The prevention of disease under circumstances like these, can only be attained by a united effort and a combination of all those interested. Thus made it is not surely quite an impossibility. The stimulus of emulation might excite to athletic exercises; and steady advocacy through the press of more rational hours for social enjoyment, might do much in modifying the late hours of fashionable life; an earlier dinner

* Minutes of the Methodist Conference. Ed. 1812. Vol. i. p. 136.

hour, morning operas, &c., would not be altogether useless. It is, however, quite in the power of the individual to do much for himself. Thorough ablution of the head once or twice a-day with cold water, or even a slight shower bath, will do much service to the material organ. Extreme temperance in diet would also keep the head clear; but, above all, cessation from mental effort, so soon as the premonitory symptoms of over-work show themselves. Hot eyes, flushed face, irritable temper, despondency, uneasy slumbers, slight vertigo, or, during sleep something like somnambulism instead of dreams, should be attended to instantly. If any of these supervene, a cessation from labour is strenuously indicated. From that moment, all head-work is out of the capital stock of strength; it is true wear and tear, and the loss thus incurred must either be speedily replaced, or disorder and disease will result. Physiological laws, it cannot be too well remembered, are as inexorable as the physical. The rest is comprised in two things;—GENTLE BODILY EXERCISE, SLEEP.

No man who works his brain actively should work all the year round. Of all organs of the body it is that which the most enjoys a holiday. The most practicable and the most useful is a pedestrian excursion, and upon this point we would again quote from the "British and Foreign Medico-Chirurgical Review." "In this class of cases there is a more legitimate remedy than these empirical [the hydropathic] appliances, and that is, a pedestrian tour, such as Dr. Forbes enjoyed, and has described in his pleasant 'Physician's Holiday.' Let the man of refinement and imagination, who is pestered with thick-coming fancies, especially after reading 'The Fathers,' and feels that he has lost the healthy, noble feeling of self-reliance, which characterises the true man, flee to the mountains for solace, rather than to an ascetic, enthusiastic priest. Let him defer the performance of what he thinks to be a duty, and the practice of what he yearns for, as a refuge from his gloom, until he has strengthened *the organ of thought*, and enjoys a *mens sana in corpore sano*. Without this, his sacrifices and martyrdom are but the self-imposed evils of a foolish hypochondriac, and of no religious value whatever. If, after breaking away from all his engrossing studies, and holding converse with nature in her sublimest aspects—drinking nothing more potent than water—walking twenty miles a-day, and every evening taking a warm bath—if, after a three months' pedestrian tour in the Tyrol, Switzerland, or Scotland, so conducted, he returns to the world and finds its aspect towards him unchanged, and he has no desire to do his duty—*solid* duties—actively and earnestly, then there is nothing for him but to 'retreat,' and live amidst the phantoms and chimeras which are to his taste. 'Hellebore'

will not cure him; Bath, the Brünner, and Malvern will be alike useless; and even the false miracles of Mesmerism will 'pale their ineffectual ray,' before those of another class, which to his morbid imagination appear real."*

There is still another class of head-workers—those to whom no holiday comes, to whom a pedestrian excursion is too great a luxury to be even dreamed of, and who *must* work at all hazards. These may ward off many evils by a strict diet and regimen, and by *varying from time to time the subject of their studies*. This is the great secret of *safe* continued head-work. It is a species of cerebral gymnastics, by which all parts of the organ of thought are equally worked. With this and a sedulous attention to the bodily health, by the simple means which common sense dictates, many have been enabled to work long and strenuously with comparative impunity; and, although the evil day must come at last, it is long deferred.

We have offered to the man of mind few other than what may appear selfish motives to induce him to guard well the powers God has given him. We have not forgotten, however, that from him to whom much is given much also will be required. Unless this higher motive of duty direct the labourer in the field of intellect; unless he guard his gifts as things held only in trust, and uses them as one who must render an account—he will spend his days in labour, and late take rest in vain. Too late he will learn by bitter experience that, in his case,

"Life's but a walking shadow; a poor player,
That struts and frets his hour upon the stage
And then is heard no more: it is a tale
Told by an idiot, full of sound and fury,
Signifying nothing."

ART. II.—DR. WILLIAMS ON INSANITY.†

DR. WILLIAMS has the honour of having written the most *recent* monograph on Insanity. As his work has been extensively advertised as the "Lord Chancellor's Prize Essay," we opened the volume with the assurance that we should find in its pages a record of both novel and valuable views relative to the pathology of the brain, and the therapeutics of insanity. We regret to say that we have been grievously disappointed. It would have afforded us much satisfaction to have had an opportunity of recommending this work to the favourable notice of our readers; but a stern sense of critical justice compels us to withhold from Dr. Williams's volume the stamp of our approbation. The first

* Opere Citato. Vol. vii. p. 452.

† "Insanity; its Causes, Prevention, and Cure, &c." By Jos. Williams, M.D. London: Churchill, 1852.

edition of this work was published under the title of "An Essay on the Use of Narcotics and other Remedial Agents calculated to produce Sleep, in the Treatment of Insanity;" and for this essay a premium, which the present highly distinguished Lord Chancellor, when presiding over the Irish Court of Chancery, placed at the disposal of the President and Fellows of King and Queen's College of Physicians, was awarded. Of this we have no right to complain. Dr. Williams has re-written the "prize essay," and has published it under a totally different title, still announcing it to the public as the "Lord Chancellor's Prize Essay on Insanity." We do not wish to make any observations personally annoying or offensive to the author; but we ask, whether he is justified in so advertising his present work? Sir Edward Sugden's prize was far the best essay on a specific form of treating insanity by means of *narcotics*; Dr. Williams's present volume is entitled "Insanity; its Causes, Prevention, and Cure, including Apoplexy, Epilepsy, and Congestion of the Brain!" This can no more be considered *the* prize essay of Lord St. Leonards, than the last volume of the "Lancet," or the "Psychological Journal." It is quite a misnomer, and we regret that Dr. Williams has been so ill-advised as to designate it as such. If this practice be allowed, much mischief to the cause of legitimate literature will inevitably ensue. A premium is awarded for a given essay, selected perhaps from a number of MSS. sent in for competition; a particular essay is approved of, and its author carries off the prize. The matter of the essay is unobjectionable; it is supposed to contain no false facts, wrong deductions, or mischievous doctrines, and it is sent forth to the world stamped by the authority of those selected to adjudicate in the matter. A few years elapse, and the little prize essay swells out into a huge volume, containing perhaps not fifty pages of the original essay, but several hundred pages of *new matter*. Is it fair that this new—entirely new—work should be announced to the public as the original prize essay? The new work may contain very questionable matter—false data and mischievous conclusions, which the adjudicators might greatly disapprove of: we say this is possible, and therefore it is unfair to them that it should be published as the original prize essay. On *principle* we object to this proceeding, and we feel it our duty to direct attention to the fact. Dr. Williams may advertise his *original essay*, which, in all its features, is very different from the volume under consideration, as "Sir Edward Sugden's Prize Essay;" but he cannot *honestly* put his *present* volume forward as the one submitted to the President and Fellows of King and Queen's College of Physicians, and to which the Irish Lord Chancellor's prize was awarded. Having made these preliminary remarks, we proceed to consider the contents of the volume itself. Having perused Dr. Williams's work attentively, with every wish to speak

favourably of it, we are compelled to withhold from the essay our approbation. It is composed of vapid nonentities and common-place truisms, interlarded with hackneyed quotations from Dr. *this* and Dr. *that*, and Mr. A. and Mr. B., without an observation of the author's which may be termed either novel or original. We will not pretend to divine the motives which may have led Dr. Williams thus to rush into print.

"I too can write; and once upon a time
I poared along the town a flood of rhyme,
A schoolboy trick, unworthy praise or blame;
I printed—older children do the same."

Dr. Williams prefaces his essay with a few metaphysical reflections and observations. We shall content ourselves with making only a few quotations from this portion of the work. After announcing the important fact that "the mind is an immortal and immaterial entity," Dr. Williams ventures, with a degree of moral courage which we are bound to commend, to enumerate a great metaphysical truth which he has had the good fortune to discover. It has remained for that gentleman to settle beyond, we trust, all future cavil or dispute, the long vexed question with reference to the distinction between *mind* and *soul*. All honour to Dr. Williams, and to the county which gave him birth! The intellect, says this great metaphysician, "is the mind, whilst it occupies its earthly tenement; but having left it, it is called *soul*." By *whom* it is so called the author omits to state. The Doctor does not venture to explain by what process of induction he has arrived at a knowledge of this great fact; he announces the discovery with all the modesty which usually accompanies genius, simply observing in a foot note, that "I shall remain satisfied with this dogmatical statement, as it is my intention at an early period to discuss and illustrate this polemical and psychological subject in one of the Reviews." We await with feelings of intense interest this promised illustration, and until we have the pleasure of perusing Dr. Williams's exposition, we must, we presume, take for granted the metaphysical question as settled. Metaphysicians, and theologians, must for the future cease to talk of the soul until after the extinction of vitality; the soul having no existence during life, it being nothing but an off-shoot or prolongation of mind. The discovery of Dr. Williams must tend to revolutionize the whole of metaphysical science! The introductory chapter of the work before us is replete with valuable apothegms. For example: "*The soul or mind can never perish.*" "*Or mind.*" How does the Doctor reconcile this expression with the previously enunciated doctrine relative to the soul? "*Man is a rational creature,*"—"by reason we distinguish right from wrong;" the "*highest faculty is*

termed self-inspection or reflection." This is the first time we have heard reflection, or, as Dr. Williams classically designates it, "self-inspection," termed the "highest faculty of the mind." Whatever is perceived, is called an idea *in its enlarged sense.*" What is it, we ask, in its contracted or limited sense? "*Imagination is purely intellectual.*" Who ever dreamt of its being otherwise? "*Imagination enables us to conceive, compose, and form new ideas;*" such is not the province usually assigned to this faculty. Certainly *conception* cannot properly be deemed as one of its attributes. "*Imagination is often one of the most dangerous gifts (1) a man can possess, impairing his judgment and weakening his attention.*" This may be said of any faculty of the mind if not properly regulated, disciplined, and controlled. If not *abused*, the imagination is a most essential, useful, and important faculty of the mind; we do not conceive how it can be justly designated "as one of the *most dangerous gifts* a man can possess," or how it can be supposed to "impair the judgment," or "weaken the attention." After detailing various definitions of insanity, Dr. Williams ventures to give his own test of unsoundness. "That man," he says, "may be said to be insane who has no control over his thoughts and actions." We sincerely hope for the peace of mind and reputation of the Doctor, that he will never propound *such a definition of insanity*, should he ever have the fortune or *mis-fortune* to take his place in the witness box. If the loss of control over the thoughts and actions constitute insanity, we tremble for a large class of Her Majesty's subjects, at present permitted to roam in undisturbed possession of their liberty, and left without hindrance to manage themselves and their property. Let Dr. Williams be assured, that a definition of insanity is a hazardous experiment. "The most simple deviation from insanity is *usually termed eccentricity.*" (p. 8.) By whom is it so termed? We do not recognise this "*simple deviation.*" Eccentricity may, and often does exist to a considerable extent, the mind being *sane*. Does Dr. Williams deny the fact? "A man," says our author, may be eccentric in dress, in manners, in habits, or he may draw inferences at variance with the opinions of a sound judgment, being different from those of any sensible person; now, *such affectation as this is apt to grow,*" and Dr. Williams, therefore, suggests that the "affectation" leading to eccentricity "should be checked in its earliest development." After alluding to the fact that "lunatics are often very vain;" that they are "fond of assuming high characters;" Dr. Williams with great *naïveté* observes, "it is right here to mention that Gall and his disciples believed that these assumptions of different characters depend upon various portions of the brain being affected." We beg to call particular attention to the distinction which Dr. Williams draws between a "*weak*" and an "*insane*"

mind. "A person of merely weak mind," says our author, "although he may be very eccentric and foolish, yet when his errors are pointed out by another, *he sees and admits them.*" How fortunate it would be for society if such were the fact. The folly of the merely "weak mind," is often exhibited in an obstinate and tenacious adherence to absurd conceits. "Though thou shouldst bray a fool in a mortar among wheat with a pestle, yet will not his foolishness depart from him." Again, our author observes,—"*Unsoundness of mind* consists in a *morbid condition of intellect*, or loss of reason, coupled with an incompetency of the person to manage his own affairs," (p. 14.) This is tantamount to a declaration that *unsoundness of mind* is *insanity*, and *insanity* is a *morbid condition of the intellect*; this explanation, lucid as it may appear to the Doctor, leaves us as much as ever in the dark.

It is important to notice that, among the symptoms exhibited by those "predisposed to insanity," to which the author refers, "is *a remarkable fondness of showing off* (!), *and reciting, and spouting.*" We would have some of our amateur theatrical friends bear this in mind. In the celebrated commission of lunacy in the case of Mr. Davis, one of the arguments in proof of his insanity was, that he "spouted" and "recited" Shakespeare with insane elevation of voice, and with a morbid vehemence and warmth of gesticulation. It was when giving evidence in this inquiry, that Dr. Haslam, much to the amusement of the court, and Mr. Davis's celebrated counsel, Mr. H. Brougham (now Lord Brougham), talked of the alleged lunatic labouring under a "*delusion of manner.*" We were present in court at the time, and well recollect the ludicrous effect which this remark had upon all present. For the future, we presume, we shall be justified in talking of the "delusion of showing off," and of "reciting and spouting." In the chapter on *Suicide*, we find nothing worthy of notice. We are informed that "in France, where foolish lovers together commit this deed, (how pathetic!) they often meet a united death in the fumes of carbonic acid gas." In the vulgar tongue, they destroy themselves by ignited charcoal. Again, the author communicates to us the novel and important information, that, "persons who commit suicide *have often insane relations*, and there can be *no doubt* that suicide is in some instances *hereditary.*" We trust, after this announcement, the fact of the hereditary character of the suicidal disposition will be no longer questioned. The whole chapter on "*Suicide*," and "*Melancholia*," is replete with commonplace observations, to be found in every elementary work on insanity. There does not occur one remark in these chapters quotable on account of its originality. For example, we are gravely informed, as if the author had lighted upon a great psychological fact, that "many persons are unable to look down from any great height without feeling an

inclination to throw themselves down." Then follows the author's *rationale* of this very singular and startling fact. "This (he says) does not arise from *giddiness*, but seems to depend upon some *peculiar fascination*." After a pointless and senseless tirade against theatrical performances, the author discusses, in *five* pages, the important and comprehensive subject of "religious insanity," in which we find the following astute observation:—"Persons afflicted with religious insanity *sometimes require* watching (an important admission,) as they occasionally become dangerous, hearing *whisperings* (?), which tell them to take the lives of their infants," &c. When speaking of cases of "*moral insanity*," in which, by the by, Dr. Williams erroneously says "there is *no* illusion, *no* hallucination," our author observes, "those individuals (the morally insane) feel inclined to break china (so do some sane women, when irritated by their husbands), dash down girandoles, or crack any small objects of vertu." Heaven preserve a number of her Majesty's male and female subjects, disposed to "break china," "dash down girandoles," &c., "crack small objects of vertu," or their own heads, if they come within the "long range" of those who thus define moral insanity! The author's account of what is termed "*moral insanity*," is excessively meagre; many of the more peculiar and pathognomonic features of the disorder are entirely omitted or cursorily passed over. Take, for instance, Dr. Williams' description of the disease. "Some persons utter words they do not wish, being unable to control or direct them, (so do those who are said to be 'intellectually insane,') yet knowing them not to be correct. The same has occurred in writing: thus in drawing a cheque he has begun correctly enough; but in continuing, has put down something totally irrelevant to the subject." We have no doubt the butcher, wine-merchant, or tailor of this said gentleman would be disposed to question his mental condition if he so acted when they requested payment of their respective accounts. Again: "*The memory is the faculty at fault in such cases, (moral insanity.)*" Is the memory, we would ask Dr. Williams, a *moral* or *intellectual* faculty? Let him consult *Locke, Dugald Stewart, Browne, or Abercrombie*, before he replies to the question. In cases of moral insanity, according to our experience, and the experience of all authorities, the memory is generally active and tenacious. Viewing the whole of his account of moral insanity, we should consider it as applicable to dementia as to the affection he purports to delineate. In the chapter on "*moral insanity*," the following observation is made, *apropos* of what it is difficult to say. "*Stupid persons* often forget what they are talking about, (and some what they are writing about), even in the midst of conversation, and a more or less complete absence of thought

is occasionally produced by a too protracted mental effort." Surely this is not intended as Dr. Williams' description of one morally insane? We should imagine not, because, in illustration of the remark, the author cites the cases of John Hunter and Dr. Wollaston! In deciding the question, whether an "alleged lunatic is fit to be intrusted to the care of himself, or capable of managing his own affairs," our readers will be gratified to hear that Dr. Williams "does not accord with those who place the *property first* and the *person after*." This announcement will perhaps remove any apprehensions which might exist in the public and professional mind as to the opinions of this distinguished authority upon so important a point.

To Dr. Williams we are indebted for having discovered a new form of insanity, hitherto undetected by the medical psychologist. He says that there "*is a form of insanity to which BUTLERS are becoming much exposed, and if, from loss of place or any other circumstance, the intoxicating draught is withheld, depression follows, and they then often commit suicide. I believe more butlers have recently, in London, terminated their existence by their own hands than any other class of individuals.*"* We should have been obliged to Dr. Williams if he had referred us to the statistical data from which he deduced this valuable conclusion. If a butler is discovered playing tricks with his master's wine—if he is detected, at unreasonable hours, flirting about the choice old port and madeira, and a necessity arises for his summary ejection from the wine cellar and the house, depression of mind, under such circumstances, will occasionally ensue; and it is possible that, like the celebrated cook, Vattel, the butler may commit suicide by cutting his throat with a piece of a broken wine-bottle: but we much question whether, if these unhappy accidents were to be of more frequent occurrence than they in reality are, we should be justified in introducing among our already too minute divisions and subdivisions of mental derangement a form of aberration to be called the "*Butler's Insanity*." A cook burns his master's mutton—spoils his sauce—sends the salmon, turbot, or cutlet, half-dressed to table, and, in consequence of gross inattention to the duties of the *cuisine*, receives a peremptory notice to quit: should the unhappy cook run himself through with his own *spit*, or choke himself with a knuckle-bone, we doubt whether we should be warranted in talking of a form of lunacy to be denominated the "*Cook's Insanity*." If we do so, we shall have in our psychological nosology the "*Kitchen-maid's Insanity*," the "*Footman's Insanity*," the "*Nursery-maid's Insanity*." A painful necessity has recently arisen compelling us to intimate to our coachman the propriety of his immediately leaving the premises: the conse-

* Page 78.

quence may be, that, depressed by the consciousness of having lost our confidence, he may take a prolonged cold bath in the adjoining river Thames, and remain sufficiently long under the stream to induce asphyxia. Should this unhappily be the effect of his discharge from our service, our readers must not be surprised if in the next number of our Journal they find a chapter headed, "*A new Form of Lunacy—the Coachman's Insanity.*"

Proceeding onward, we find Dr. Williams denominating *Erotomania* to be a "*metaphysical disorder*," because "the sentiments" are "affected." A "*metaphysical disorder*," indeed! "*Nymphomania*, or *satyriasis*, arise (he says) from *physical* causes;" but we ask, is not this also the case with regard to the "*metaphysical disorder*," *erotomania*, as well as *every other form of insanity*? Dr. Williams suggests for the cure of *erotomania*, "*a happy marriage.*" We question the utility of the remedy. "*Erotomania*" and "*nymphomania*" are both described in the chapter on Moral Insanity. Does the author consider these disorders as illustrations of that class of patients "who are insane in *conduct*, and not in *ideas*?" such being the definition which the author quotes with approval, of moral insanity. "One of the earliest indications of insanity *attacking women* is the change of ideas, sentiments, and actions."* Is this not also the case with *men*? The important subject of *puerperal insanity* is discussed in *thirty-four* lines. We cannot divine why the author should discuss this form of derangement in his chapter on Moral Insanity. It is surely out of place there? The only advice he ventures to give with regard to the *treatment* of this form of disturbed mind, is, that "these cases ought not to be sent to a *mad-house* (elegant phraseology in a work purporting to be a scientific production!) it being rare for *puerperal mania* to continue long, especially when early and promptly treated; but (continues the learned Doctor) if, after a month, the symptoms still continue, the pulse being very quick, change of residence and removal from home should not be generally longer postponed." Whilst thanking the author for these valuable suggestions, fraught with so much wisdom and sagacity, we may observe that he would have enhanced our obligation if he had informed us where the patient should be removed to? The chapter on "*Dementia*" is totally valueless. The whole subject of *dementia* and *idiocy* is dismissed in *five* pages, and contains nothing beyond an attempt, and a very laboured one it is, to define *idiocy*, *fatuity*, and *dementia*; the definitions of *idiocy* are taken from "*Dr. Johnson's Dictionary*," "*Blackstone's Commentaries*," and "*Coke upon Lyttelton*!" The preliminary observations of Dr. Williams, in his chapter on the "*General Treatment* of

* Page 81.

Insanity," contain a gross and inexcusable libel upon the profession. He says :

"It forms the exception for medical men to pay any attention to mental disease; and hence, when a case of insanity occurs in private practice, the individual so affected is either sent away at once to a lunatic asylum, or *the medical attendant, being himself alarmed, restrains his patient by violent measures.* The general ignorance of diseases of the mind, so prevalent throughout the profession, has frequently led to very unjust detentions; and if any medical man, so uninformed upon this subject, is requested to visit an alleged lunatic, he goes prepared to *prove insanity*; whereas his object should be to ascertain the exact state of the patient's mind, and to see whether there would be danger to life or property in allowing him personal freedom; but the very fact of seeing a person already manacled has, alas! been to many sufficient proof of his insanity; and, indeed, as Sir Henry Hallford has said, if already confined, his condemnation is almost certain."—p. 90.

We maintain that it does not *necessarily* follow, as Dr. Williams asserts, that, if a patient be *not* sent to an asylum, "the medical attendant, being himself alarmed, *restrains his patient by violent measures.*" We deny the fact: the disposition is, we think, otherwise on the part of the profession. The *ultra* views on the subject of non-restraint, promulgated by a few over zealous members of the profession, have, in some cases, unhappily, led to the sacrifice of valuable lives. Again, upon what ground is Dr. Williams justified in saying that when "a medical man is requested to visit an alleged lunatic, he goes prepared to *prove insanity*?" We declare this to be a scandalous imputation upon the profession. Our readers will, no doubt, feel greatly obliged to Dr. Williams for informing them, that "no medical man is warranted in signing a certificate of a patient's unsoundness of mind *without having seen such patient.*" If he were to do so, contrary to the *express stipulations of the statute*, he would expose himself to an action for misdemeanour. Is the author of this work aware of the fact? We should suppose not, or he would not have offered *such advice* to the profession. After a fair proportion of twaddle about not listening to the "mere representations of friends"—that the "application of the family is no sufficient warrant for confinement;" that "personal observation alone can justify any medical man in signing a certificate of unsound mind"—Dr. Williams makes the subjoined grave accusation against his professional brethren:—"The *generality of medical men*, when asked to see a case, go with the *full intention* of establishing insanity, not to disprove it" (p. 91). Need we attempt a refutation of this calumnious statement? Perhaps Dr. Williams may yet have the satisfaction of hearing some distinguished member of the bar, or judge on the bench, *quote*

this very passage to establish, that the opinions of medical men relative to the subject of insanity are totally worthless. It is our duty to discountenance these attempts to depreciate the value of medical testimony, let them proceed from whatever quarter they may. It is, alas! mortifying to be compelled to repel an arrow aimed at the members of an honourable profession from the hand of one of our own brethren!

The passage we have just quoted and commented upon, is nothing more than a new and offensive edition of Lord Truro's unjustifiable observation, "that a medical man would give any opinion in lunacy that he was paid for;" an imputation which has been so severely animadverted upon by *all* the medical journals. "Medical men (says Dr. Williams) should never enter court as *partisans*." Of course not; "their object should be to establish truth;" (certainly.) "When examining a patient take care he is not agitated (sensible.) Gain his confidence (often a difficult object to attain) and endeavour to ascertain whether he has not been previously excited." The Doctor does not say *excited by what*; whether by the *disease*, his *medical attendants*, or "unprincipled relations." "The most monstrous means have been adopted (continues the author) to intimidate weak-minded individuals; and fraud, conspiracy, and intimidation must be met by perspicacious sagacity."—Right; but how few (according to this learned Theban) have the amount of "perspicacious sagacity" sufficient to overcome such a degree of base conspiracy. Dr. Williams communicates to the profession the important fact, "that a person improperly taken and detained as a lunatic, may maintain an action for assault." We trust this announcement will be consolatory to those of our readers who may be nervously apprehensive of the "mad doctor," the "medical certificate," or of being kidnapped, and confined by kind relatives in an asylum. It is very important that the members of our profession should, with these pains and penalties staring them in the face, have a clear conception of the *kind of patient* they are justified in depriving of liberty. Dr. Williams, conscious of the necessity of enlightening the profession upon this point, generously lays down rules for our guidance. We cannot sufficiently express our gratitude to the Doctor for his lucid instructions. He says, "There can be no doubt as to the necessity of placing under control a *furiously maniac*, who would be constantly injuring himself or others." So far the advice is unexceptionable; but, fearful we might be led into error, and be disposed prematurely to interfere with the free agency of the Queen's subjects, the Doctor kindly develops still further his views upon the point, and adds, "and should he (the alleged lunatic), in addition, eat his own excrement, this would even render more surveillance and cleanliness necessary." So we should suppose. In the name of those associated with the treatment of the

insane, we thank Dr. Williams for this extremely satisfactory advice. For the future, writs of *habeas corpus*, and actions for false imprisonment, will only be referred to as remnants of the dark ages. Let us clearly comprehend, "that there can be no doubt as to the necessity of placing under control a *furious maniac*;" but if our friends have any qualms of conscience in so acting, these will all disappear if, superadded to this, the "patient should eat his own excrement." "How often (says Dr. Williams) is a man sent to an asylum by his friends *because he is eccentric and irritable*." We doubt the fact; nothing is easier than to make general statements and assertions of this kind; but as two medical men must certify not only as to the presence of insanity, but to such a *kind and degree* of insanity as to justify confinement, we are disposed to consider the occurrence of which the author speaks, *extremely rare*; in fact, we do not think it possible, considering the character of the members of our profession, the vigilance of the commissioners, and the amount of surveillance to which private asylums are, in the present day, subjected. After talking of an "eccentric" and "irritable" person being sent unjustly, by his friends, to an asylum, the author, with wonderful pathos, exclaims, "how dreadful for a patient ("only eccentric" and "irritable") just becoming conscious, with reason dawning upon him, to find himself in a mad-house." When speaking of the "eccentric" and "irritable" patient, the Doctor said nothing of the loss of consciousness and reason; surely, if these co-existed with the "eccentricity" and "irritability," a good and valid reason existed for placing the unhappy patient in a position most advantageous for recovery; and, instead of being appalled at finding himself in a "mad-house," after his restoration to consciousness and reason, one would imagine that he would be grateful to those who, in the hands of a wise Providence, had been instrumental in restoring to him the healthy exercise of mental faculties.

When talking of the effects of associating with the insane, the author observes, "that *VERY FEW nurses or keepers live under such exposure many years without themselves becoming insane!*" We never knew an instance corroborative of this assertion. The statement has no foundation in fact. If Dr. Williams doubt our word, let him ask those whose *practical experience* in the matter qualifies them to pronounce an opinion upon the point. "Moral treatment is more effective in the early weeks (of an attack of insanity), than at any subsequent period." This is contrary to the experience of *all* practical men. In the *early stages* of derangement, the *medical* treatment is the most essential and important, *because* the symptoms are generally more *acute* in their character, and clearly dependent upon *physical ill-health*. As the disease advances, and the bodily symptoms

disappear, moral means are often of great service in the treatment of the insane. Dr. Williams suggests the propriety of removing "idiotic or highly eccentric persons, especially if noisy, from public gaze, in large towns, as the less such cases are exposed the fewer examples may reasonably be expected," (p. 108.) By what authority and power we are to remove "the eccentric persons" from "public gaze in large towns" the author has forgotten to inform us. The lunacy statute contains no clause justifying us in interfering with *eccentric* persons, however offensive they may be to the "public gaze," in small as well as "large towns." "Directly a person, be he rich or be he poor, entertains erroneous impressions, and often when only eccentric, *away he is hurried to an asylum*, where the chances of his cure are as remote as is the love which has, not unfrequently, *especially in the upper classes*, dictated his removal." We are puzzled which most to admire in the above paragraph—its elegance of literary diction, or the important truth which it developes. "Be he rich or poor," it matters little, if he have "*erroneous impressions*," or is "*eccentric*," his family, in the exuberance of their affection, "hurry him to an asylum," where, unhappily for the poor man, his "chances of recovery" are said to be "remote." The "*upper classes*" appear specially to merit our author's animadversion, for upon their heads he often opens the phials of his wrath. We would have "Belgravia" beware. We should have been thankful to Dr. Williams if he had deigned to have been a little more explicit on the subject of "*erroneous impressions*." If the existence of *these* be a justification for incarceration in a lunatic asylum, Dr. Williams must be on the look out! So forcibly impressed is the author of the great truth he has enunciated, that, in the very next paragraph, he again exclaims, "the mistake seems to be, that a person is considered a fit subject for a *lunatic asylum*, *merely* because he holds *fictitious or erroneous ideas*, and this applies both to the rich and the poor." We trust Dr. Williams does not feel unnecessarily alarmed for his own safety? The author appears to entertain, in common with many ignorant of the real character of the first class modern asylums, a horror of what he, with great want of taste, designates a "mad-house." In every chapter this feeling shows itself. "How dreadful for a patient to find himself in a mad-house." "There cannot be a doubt, that numbers, now the occupants of lunatic asylums, ought never to have been subjected to such treatment." After relating a case of recovery from an attack of delirium, he exclaims, "how different might the result have been, if placed (we suppose, the patient) within a lunatic asylum." "In an incipient case of mania, it is far better to treat it at the *patient's own house*." We would add, particularly if the

family should have the advantage of the author's skill and experience. "It is considered advisable, that, whenever a person's means will at all admit of his being treated *at home*, that *this* is always preferable." We might proceed *ad infinitum, usque ad nauseam*, in quoting analogous passages, embodying a wholesale and indiscriminate abuse of institutions for the treatment of the insane. But the selections we have made are sufficient to establish the *animus* as well as ignorance of the author. The reader having perused the previous passages, we would suggest that they should be taken in connexion with the following observations: "*Throughout Europe* (says Dr. Williams, p. 115), *physicians are agreed, that separation and seclusion are of the GREATEST BENEFIT IN THE TREATMENT OF INSANITY.*" Again: "*Early seclusion is often of the greatest service.*" If "seclusion" does not mean confinement in an asylum, what idea are we to attach to it? Assuredly Dr. Williams does not recommend a recourse to that barbarous mode of "seclusion," termed the "*cottage system*," of isolating the insane, which the Earl of Shaftesbury so eloquently denounced in the House of Commons, and which has been so frightfully and disgracefully abused?

If Dr. Williams prefer the snug cottage in St. John's-wood to a well-regulated private asylum—the irresponsible authority and management of a keeper, and *occasional* hurried visit of a medical man, to his kind, skilful and *daily* surveillance—we feel disposed to exclaim—may God protect the unhappy lunatic! If a patient be restored to sound mind under *such a system* of isolation, it will be *in defiance*, and not *in consequence*, of the means used for his restoration. We maintain that it is impossible to carry into effect any CURATIVE SYSTEM, of either medical or moral treatment, in cases of actual insanity, outside the walls of a lunatic asylum. In lodgings, at home, or in cottages, where the miserable patient must necessarily be left the greater portion of his time to the unlimited control and exclusive association of the attendants employed to watch him, the mind *rarely rallies from its disordered condition*. The chances of complete recovery in asylums are increased at least 50 per cent., and this will be obvious when we consider that in a well-regulated establishment the patient is night and day under the eye of the vigilant, anxious, and skilful physician; that the operation of the medicinal agents administered to promote recovery are carefully watched; that the patient has the advantage of the most approved medical treatment, and is subjected to the minimum amount of restraint; whilst, in lodgings or in cottages, the poor afflicted patient is generally either in a strait waistcoat or tied down to his chair, and is left day and night to the tender mercy of perhaps coarse and brutal attendants. The medical man visits his

patient perhaps once or twice a week,—it may be *every day*;—but we ask those acquainted with the treatment of the affections of the mind, whether, under such a system of treatment, the probabilities of recovery are not very remote, if not entirely hopeless? We have seen patients subjected for *months* and *years* to this species of isolation of which Dr. Williams speaks, without making the slightest approach towards restoration to health; and yet these same patients have, after a few months' residence in a well-organized private asylum, been entirely cured. "An asylum," says this eminent psychologist, "*is at present* (what they *will* become, should Dr. Williams have one of *his own*, remains to be seen) *a necessary evil*." What says the *insignificant* and *obscure* ESQUIROL. "An asylum," says M. Esquirol, is "an INSTRUMENT OF CURE, and, in the hands of a skilful physician, THE MOST POWERFUL THERAPEUTIC AGENT AGAINST MENTAL MALADIES." "A necessary evil," indeed! *Eating* and drinking are necessary evils; *sleeping* may be viewed in the same light. It is a "necessary evil" that we should be obliged to build houses, wear clothes, marry and have children, and even *print books*. If our first parents had not transgressed, and eat of the fruit "of that forbidden tree," and thus

"Brought death into the world, and all our woe,"

these things would have been quite superfluous. It is the *disease* which is the "*evil*;" the *means used for its cure* certainly cannot be so designated without a gross misuse and perversion of the Queen's English. "As there *must be lunatic asylums*," says the author, "and AS (mark the acute logician!) *the majority of them are unfortunately densely thronged*, (why so?) *the importance of classification cannot be over-estimated*," (p. 119.) Can our readers trace any connexion—necessary connexion—between the fact referred to in the *first* and the assertion contained in the *latter* part of this sentence? We might as well say, as there must be horticultural gardens at Chiswick every year, and as the next fête is likely to be "densely thronged," the importance of umbrellas cannot be over-estimated! We pray the attention of our readers to another lucid passage. "A man who has once been the occupant of a mad-house seldom regains his social position, and (mark the corollary!) *therefore* it is so essential to remove all predisposing causes; and first as to intermarriage."* The first assertion in this

* It would, indeed, be a sad and discouraging reflection, considering the amount of insanity, and the number of the patients under treatment, and discharged as "cured," from both public and private asylums, if there were the slightest pretence for Dr. Williams' bold assertion. We unhesitatingly deny the fact. We have before us the report of the "*Massachusetts State Lunatic Asylum*," and in it we find Dr. Chandler, the physician, making the following remarks: "I have known a few individuals who were brought here insane, and who recovered to become better citizens than they were before. Their minds and feelings acquired strength and soundness by the disease, and by undergoing the process of cure, as some musical instruments are said to be improved by being

paragraph contains a positive error. Hundreds and thousands who have been confined, and justly, properly, and kindly confined, in asylums, and that too for a considerable period, have regained their "social position." Need we, in confirmation of our opinion, appeal to the experience of men of great and established eminence? The fact is undeniable, indisputable—and it appears extraordinary how any man in his senses could doubt it. As a specimen of the author's brilliant literary attainments—of the classic dignity of his style—of the purity of his diction—the vividness of his fancy—we quote the subjoined passages in full. Shade of Burke, Addison, and Johnson, defend us!

"I am aware (important admission) it is said *mental disease is complicated—it is so* (nervous language); but there is no very great difficulty in estimating the amount of benefit resulting from any established rules of treatment which have generally hitherto been adopted. (We should imagine there was, after reading this work.) Disease of the mind is complicated, *and the persons who have specially undertaken to cure that disease have, at present, individually done very little in the way of suggesting either therapeutical, moral, or general means for alleviating or curing such an afflictive disorder, and this too with ample means of investigation before them; the desire has always been to keep the system or plan of treatment close. Even to this day their practice is often secret—empirical.*"

What consummate ignorance and impertinence! We will, upon *this* occasion leave the Doctor to the tender mercies of the English Psychologists, who may, and perhaps justly, flatter themselves that they have done *something* towards the advancement of our knowledge of the pathology of insanity, and who certainly are not open to the grave imputation of either a "close" or "empirical" "plan of treatment."

"Those *errors of society which every person must necessarily mix with* should be judiciously exposed, their evils shown; for if the mariner is previously made aware of the existence of the hidden rock, that is generally sufficient to prevent him from foundering upon it (not invariably so); at the same time *there are evil and wicked machinations and designs, which, as they but seldom expose themselves to public gaze, and though miserably enslaving those still more miserable persons who are enslaved by them, are yet happily confined to the few, and those frequently only the offscum of society—therefore it is unwise, it is prejudicial to the best interests of individuals and of the public in general, to expose and propagate, even in the way of caution, the more refined*

broken and repaired again." Such is the experience of all engaged in the treatment of the insane. It is a fact that in some instances the judgment appears more vigorous, the affections more evenly balanced, the volition stronger *after* recovery than before the development of insanity. We readily admit that the mind cannot be subjected to frequent attacks of disorder without having its faculties impaired; but the assertion of the author that a man once having been confined in an asylum, "*seldom regains his social position,*" is a perfectly *gratuitous*, and is in direct opposition to the experience of those whose practical opportunities for observation entitle them to form a sound and safe opinion upon the subject.

systems of vice, the more intensely devilish seductions of iniquity, and the more so, as no person ever can reach this climax (what climax ?) at once ; as there are numerous paths of virtue, so there are yet more numerous roads to vice, and few (few *paths* or *persons* ?) are so created as to become proficient at once ; and therefore it is when sin is hurling down a young man headlong, (into an asylum ?) that the beacons should be brought (after he is down, or whilst being hurled ?) prominently before him to warn him of his danger."

After the reader has rallied from the overpowering effects of the glowing and impassioned eloquence of the above extract, let him ask himself what is meant by "*Those errors of society which every person must necessarily mix with,*" and which the author conceives should be "judiciously exposed," to what does Dr. Williams refer when he speaks of the "*evil and wicked machinations and designs, which, as they seldom expose themselves* (we presume the fear of the police would deter them from doing so) *to public gaze, &c.?*" We should imagine that "evil and wicked machinations and designs" would find some difficulty in "exposing themselves to public gaze," therefore we ask, is not the worthy Doctor rather severe in his animadversions ? We will not venture to make any further analysis of this psychological paragraph. It is certainly a fine specimen of pure and classic English composition. The only doubt we entertain is, whether it is not *borrowed* from the *Spectator*.

We had marked several other passages, equally sublime, for quotation, but we have already exceeded our limits. We shall content ourselves with one more extract. Dr. Williams observes, in a paragraph which has no reference to the one immediately preceding, "*light is the only effect the moon has upon lunatics : they cannot sleep, the moon is at the full.*" If the author had sufficient knowledge of literary composition to explain in unadorned English the notion he wished to convey, he could easily have developed the idea struggling,

"Like the pale moon's misty light,"

for existence, in the sentence just referred to. It is not difficult (obscure as the passage is) to divine Dr. Williams' meaning. He denies that the lunar rays have, as many suppose, a *specific influence upon the insane* ; whatever the effects may be, they are entirely owing to the *action of light*, which interferes with the sleep of the insane, particularly when the light is intense, as it is when the moon is at the full. We merely record the views of the author, without giving any opinion of our own upon the point. It has given us much pain to be obliged, in duty to our numerous readers, to speak in such disparaging terms of Dr. Williams' work. The author requires to be taught the necessary lesson, that it is the duty of men to *learn* before they attempt to *teach*, and that without long experience and *great sagacity* no man can

by a hop, skip, and a jump, place himself in the professor's chair. In a medical point of view, the essay is of no value; as a piece of literary composition, it is, we regret to say, contemptible. The author appears to have sat down to write his book without an idea of his subject, (beyond what he has found in the text books), or of the arrangement necessary for its lucid exposition. On several occasions, his fancy has taken an elevated flight; and in more than one ambitious attempt at *fine writing*, he has lost himself among a number of extravagantly hyperbolic expressions, reminding us of the passage descriptive of the "fix" into which a poor poet had placed himself in his vain effort to convey to his readers his exalted conception of the sublimity of an American forest:—

"When I hear the gentle breeze,
A blowin' in among the trees,
I can't my thoughts in words express,
But they are mighty strong,—nevertheless."

MAGIC, WITCHCRAFT, AND ANIMAL MAGNETISM.*

THE REVEREND SYDNEY SMITH, in his Lectures on Moral Philosophy, delivered at the Royal Institution, profoundly observed, that "errors to be dangerous must have a great deal of truth mingled with them; it is from this alliance," he adds, "that they ever obtain an extensive circulation; from pure extravagance, and genuine, unmingled falsehood, the world never has, and never can, sustain any mischief."†

So correct is this observation, that we feel assured that no faith, however extravagant, ever took a strong hold upon the public mind without being in some measure founded upon truth. It may be difficult to separate the grain from the chaff—the pure ore from the sullyng dross; it may require great critical acumen to discover the exact point at which the wave of truth blends itself almost imperceptibly with the stream of human imagination, as it runs rapidly into exaggeration and fiction; but that such a line of demarcation may be drawn there can be

* An History of Magic, Witchcraft, and Animal Magnetism. By J. C. Colquhoun, Esq. 2 vols. London: Longman, 1852.

Isis Revalata; An Inquiry into the Origin, Progress, and Present State of Animal Magnetism. By J. C. Colquhoun, Esq. 2 vols. Edinburgh: MacLachlan and Stewart, 1836.

Letters on Animal Magnetism. By William Gregory, Professor of Chemistry in the University of Edinburgh.

Observations on J. C. Colquhoun's History of Magic, Witchcraft, and Animal Magnetism. By James Braid, M.R.C.S.E. London: Churchill, 1852.

† Elementary Sketches of Moral Philosophy. Delivered at the Royal Institution, in years 1804, 1805, 1806. By Sidney Smith, M.A. London: Longman, 1850.—p. 5. So also St. Croix observes: "It is with difficulty we can imagine anything full of improbability—a fact of this nature is rarely forged."—*Examen Critique des Historiens d'Alexandre*. Paris: 1804.—p. 9.

no doubt. Under this view, the history of every superstition is in itself an important chapter in the history of man. Astrology, Magic, Sorcery, Witchcraft,—the very names of these exploded pseudo-sciences, as they are called, may now excite the risible faculties of the modern philosopher. He fears not the approach of Comets, or the wild glare of the “Northern Lights;” the “silent beauty of the starry heavens” no longer excites in his mind any apprehension, or feeling that he is himself a Microcosm connected with the changes and sympathies of the surrounding universe. He knows full well that the Egyptian and Greek temples have been overthrown—the Delphic and Cumæan oracles silenced—the Sybilline leaves scattered to the winds, and that the Eleusinian mysteries have themselves become a myth; but in the midst of all his scepticism, he cannot look through the *vista* of the past—he cannot open the pages of history, whether sacred or profane, without, if he have any element of faith within him at all, believing that such things *did* once exist; that they were not merely idle shadows flitting across and obscuring the human mind, but that they were circumstantial and stern realities, which affected the hopes and fears, the moral conduct and civil responsibilities, and all that could possibly appertain to the happiness of man. True it may be that man is naturally a credulous animal. The very consciousness of his restricted and finite capacities seems to suggest within himself a desire to go beyond the apparently prescribed boundaries of human knowledge. He is not satisfied with analyzing the air he breathes, the earth upon which he treads, the light of heaven; he is not contented with observing the universal and un-deviating relation which exists between cause and effect, but must have recourse to some clumsy and hazardous hypothesis to link, according to his narrow notions, the antecedent and consequence mechanically together. Nay, the very consciousness of his own existence—the Cartesian principle—the “*Cogito ergo sum*”*—to his apprehension is an insufficient evidence that he really lives, and moves, and has his being. He would fain anatomize his mind, as well as his body; and because he cannot succeed in discovering how the two are connected together, he turns round upon himself, puts a bold face upon the mystery, and denies altogether the existence of his spiritual nature. Thus does our frail modern philosopher ever lean upon the weakness which betrays him: seeking to learn more than has been vouchsafed for him to understand, and keeping his eyes fixed on the very feeble and flickering lamp of physical science, he goes about constantly groping

* “Who am I?” says Thomas Carlyle; “What is this *me*?” A voice, a motion, an appearance. Some embodied visualised idea in the eternal mind? ‘*Cogito ergo sum*’ Alas! poor cogitator! this takes us but little way. Sure enough I am, and lately was not. But whence? How? Whereto?”—*Sartor resartus*. 2nd ed. London: 1841. —p. 61.

in the dark, and, like Faustus, under the guidance of Mephistopheles, in the "Brocken," is liable to be misled by every *ignis fatuus* that flits across his path.

But, after all, is there no fixed and abiding reality in nature?—nothing for the good of man, as Wordsworth finely observes, "more solid than the gilded clouds of heaven?"* Is there no Positivism in Philosophy? Assuredly there is! Truths older than the mountains are still extant, which have survived the marble ruins of the temples wherein they were enshrined. But to read these rightly we must divest ourselves of educational prejudices; we must apprehend no war, but advocate an universal toleration of opinion; so that we may come to the task with a thorough and conscious feeling of mental independence. The fetters that would enthrall the mind are infinitely worse than those which may inflict restraint upon the body.

"The cause" of Animal Magnetism, if we may so express it, has been so long before the public,—its pretensions have been so frequently discussed, and the phenomena which are said to be developed by its mystic agency, are so well known, that we need not recapitulate them. But this much we think certain: the physiological and psychological mysteries of our nature, the connexion which exists between life and mind, soul and body, is as little understood now as in the days of Plato and Aristotle. "Thus far shalt thou go, and no farther;" but who is to delineate the exact boundary of knowledge attainable by the progress of science? The most exquisite dissections of the brain and nervous system must ever fail to enlighten us, because the most minute anatomy, even in all its microscopical relations, can never determine the function of any organ. An elucidation of its structural adaptation to a given purpose is all we can arrive at; but man, viewed synthetically, unable to comprehend himself, is nevertheless a being partly material and partly immaterial—having a corporeal and a spiritual nature; and here the observation of Coleridge appears to be peculiarly apposite: "All the organs of sense are framed for a corresponding world of sense; and we have it, all the organs of spirit are framed for a corresponding world of spirit, though the latter are not developed in all alike."†

The "Isis Revelata," the "History of Magic, Witchcraft, and Animal Magnetism, by Dr. Colquhoun;"—"Letters on Animal Magnetism, by Professor William Gregory;" Reichenbach's "Physico-Psychological, on the dynamics of Magnetism, Electricity, Light, Heat, Crystalization, and Chemism," by Dr. Ashburner; Dr. Braid's work in answer to Mr. Col-

* Excursion;—Despondency Corrected. Ed. Longman, 1832.—vol. iv.

† Biographia Literaria. A Biographical Sketch of my Life and Opinions. By S. T. Coleridge: 1819.—p. 27.

quhoun on "Magic, Witchcraft, Animal Magnetism, Hypnotism, and Electro-Biology;"—these, and numerous other works on the same subjects, in German, French, and English, lie, as we have stated, before us; but we are disposed to give Mr. Colquhoun's researches the priority of consideration on the present occasion, because he was, clearly, the first *Littérateur* who called the attention of men of science in this country, to the report made by a committee of the Royal Academy of Medicine at Paris favourable to animal magnetism, in 1831; few copies of which were then in circulation; and because a few years afterwards, in 1836, when he published the "*Isis Revelata*," he advocated with all the erudition he brought to bear upon it, the cause he had espoused with a degree of modesty and a tone of fervid and persuasive eloquence ever becoming a man, who is at the same time a philosopher and a gentleman. These two characters, be it observed, are not always combined. There is, indeed, an outcry abroad, a popular fallacy than which none can be more pernicious, that all men of science who have been fortunate enough to make great discoveries, have invariably been subjected to ill-treatment, made subjects of ridicule and persecution, and doomed to undergo a species of slow martyrdom. Nothing is more untrue! There can be no analogy whatever fairly drawn between the inquisitorial age in which Galileo lived, and any succeeding age in the history of European philosophy; and if we only read fairly and dispassionately the lives of Harvey, Sir Isaac Newton, and Jenner, we shall perceive that these illustrious men, so far from being martyrs, lived to see their own glorious achievements in science fully recognised and established, and secured all the highest honours which the sovereign, the state, and the universities could confer upon them.* It is, however,

* We have often wondered that this cant, founded obviously upon the grossest distortion of facts, should not have been long ago peremptorily refuted. The persecutions conducted against men like Galileo by these iniquitous tribunals, characterise the barbarism of an age which has long since past away. The war was not so much against science as against the chance of discoveries being made which might shake the pillars of those gloomy abodes of darkness to their foundation. Then what do we find when we look into the lives of Harvey, Sir Isaac Newton, Jenner? The anatomical evidence connected with the circulation of the blood, the structure of the heart, the course of the arteries and the veins, the valvular structure of the veins—nay, the movement of the blood, and even the double—the pulmonic and systemic—circulation, had been discovered before the time of Harvey, and when he accomplished his admirable "*Exercitatio de Motu, Cordis et Sanguinis*," and by concentrating the whole evidence inductively, irresistibly established the truth of what others had already surmised and believed certain objections and physiological difficulties—such as the inadequacy of the power of the heart to propel the blood directly from the arteries into the veins, and the nature of the capillary circulation—Harvey turned round upon his antagonists in a very intolerant and abusive spirit, heaping upon them the most abusive epithets. But what followed; the sole merit of the discovery was awarded to him in his life time; he was made physician to the king, and enjoyed the highest honours to which a professional man could attain. Then again Sir Isaac Newton—what cause for lamentation have we here? True, Huyghens disputed many of

now a days the fashion with every empiric who boasts of having discovered some great secret which he professes will benefit mankind, and which at the same time puts money in his own pocket, to exclaim "Galileo was persecuted ; so am I ! Look at the histories of Harvey, Sir Isaac Newton, and Jenner ; how were their discoveries treated, and how are mine ?" Will it be believed that the stupid public actually hesitated before it would consent to swallow, when first discovered, such valuable remedies as Peruvian bark, antimony, arsenic, cantharides, and prussic acid ? We lament that this kind of jargon ever should be tolerated. It is the language only of men who are writhing under disappointment. We insist that it is the duty of every conscientious man, before embracing any new doctrine, to examine into it thoroughly. He is bound to sift every particle of evidence that can be adduced for and against it, before he comes to any conclusion. Hasty inferences are never sound. The world is never wrong in its ultimate judgment : and we often feel surprised that men of science should so constantly betray an irritability of temper unbecoming the real interests and dignity of philosophy, simply because their discoveries—their theories—their peculiar views, sometimes upon subjects which are in their own nature peculiarly abstruse, are not at once accepted by men of their own intellectual status ; and we cannot help thinking that this hastiness and intolerance too frequently betrays the latent existence in their breast of that very spirit of persecution from which they claim protection. It is well for the real interests of truth, that philosophers should see the same facts from different points ; and that they should, taking different paths, arrive at different conclusions. We may rest assured that this very conflict of opinion stimulates and energizes the reasoning faculties ; tends to clear away prejudices that would otherwise obscure the understanding, and is as essential to the healthful activity of the human mind, as the agitation of the waves of the sea is to preserve the purity of its waters.

The truth is, the world is far more given to credulity than to scepticism. "Man is credulous from the cradle to the grave," and there never yet was any hypothesis ever hazarded, however extravagant,

his theorems, but he lived also to see his discoveries admitted into all our schools of philosophy—was recognised as the greatest philosopher of the age, and received all the honours which the existing universities and the Royal Society could confer upon him. Finally comes the case of Jenner. His discovery was doubted—very properly so—the *onus probandi* lay with him ; and when this he established—then his discovery too was recognised, and he, too, lived to enjoy not only the honour awarded to him, but the advantages of a large parliamentary grant. The world, we repeat, is more inclined to be over credulous than over sceptical, and we never could understand why sensible persons should be accused of being incredulous because they hesitate before they swallow every new-fangled medicament which ingenuity may suggest.

and *nullum est tam absurdum quod dictum non credat aliquis philosophorum*, that has not speedily found a host of specious advocates suddenly start up in its defence. Nay, men of profound learning and of the highest sagacity have too often allowed themselves to be drawn into the vortex, and carried away by the stream of popular enthusiasm. The professors of animal magnetism have, we conceive, nothing to complain of; they must expect that scientific and literary men will receive the extraordinary statements they submit to them with hesitation and caution. What said Treviranus, the famous botanist, to Coleridge? "I have seen what I am certain I would not have believed on your telling; and in all reason, therefore, I can neither expect nor wish that you should believe on mine."* Seeing, then, that many of the higher phenomena of animal magnetism (as they are called) come before us *prima facie* with an aspect of improbability, how impolitic it is in the believers of animal magnetism who seek to make converts, to set out with blazoning before the public facts which, if true, appear to be contrary to the experience of mankind and the *dicta* of common sense. Who can believe that a lady sending a lock of her hair from London to a magnetizer in Berlin will thereby put herself *en rapport* with him, and enable him to magnetize her at this distance—nay, to prescribe successfully for any complaint with which she may be affected? Who can believe a story we met with in the "Zoist," that a magnetizer, by breathing into a pair of gloves, and thinking at the same time of some particular subject, may communicate a dream to the person, when asleep, to whom the gloves belonged? We repeat, that it is unwise in men who invite us to believe in their doctrine to set out with facts which, as Treviranus implies, must appear so palpably impossible; for, as Locke truly observed, "There are so many things to be known, and our time on earth is so short, that we must at once reject all useless investigations." But what investigations are useless? or what learning? Upon the subject of animal magnetism, we have before us such a mass of contradictory evidence—so many conflicting opinions—such a tangled and complicated web, that we are not disposed to pronounce judgment; at all events, to borrow the language of our law courts, "without appeal." The facts adduced, however, by Mr. Colquhoun, showing the analogy, indeed, close similarity, between the effects which were produced in past ages by magic and witchcraft, and those which are now produced by animal magnetism, are exceedingly curious. We must, however, adhere to facts alone—*res non verba*. The theories suggested in explanation of them are another matter, and come clearly within another range of science. The physiological and psychological effects produced by the

* Coleridge's Table Talk.—Vol. i. p. 107. *Iais Revelata*.—Vol. i. p. 76.

Egyptian magi and Greek priests on their willing and credulous votaries, have been circumstantially described by historians, who could have had no conceivable or possible motive to distort or misrepresent facts which were of every-day occurrence, and patent to the observation of the multitude. We have only to refer to the records of Biblical history to convince ourselves that the magicians were held in the highest estimation ; that they were consulted in all cases of emergency by the most exalted, learned, and highly-gifted—we might almost say, heaven-inspired—men of the age ; and that these “wise men,” as they were called, possessed the art of performing many apparent miracles. Their first appearance, as recorded in the Holy Scriptures, was on the occasion of Pharaoh's two dreams of the seven years of plenty and seven years of famine. We read (Genesis xli. 7, 8), “And Pharaoh awoke, and behold it was a dream. And it came to pass in the morning that his spirit was troubled, and he sent and called for all the magicians of Egypt and all the wise men.” Their second appearance was on the memorable occasion when Moses and Aaron, armed with miraculous power, cast the rod before Pharaoh, which became a serpent. “Then Pharaoh also called the wise men and the sorcerers ; now the magicians of Egypt they also did in like manner with their enchantments,” (Exodus vii. 11.) Their power of enchantment, divination, and interpreting dreams, is frequently attested. Twice did Nebuchadnezzar, King of Babylon, “command the magicians and the sorcerers and the Chaldeans for to show the King his dreams ;” and because Daniel interpreted his dream, “the King made Daniel a great man,” and the “chief of the governors over all the wise men of Babylon,” (Daniel ii. 2—49.) The art of divination may be traced to the same early period, for in the history of Joseph, in the Bible, we read that after Joseph had entertained his brethren, who “rewarded evil for good,” he sent his steward after them to bring back his silver cup, desiring him to accost them in these remarkable words : “Is not this it in which my lord drinketh, and whereby he divineth ?” (Genesis xli. 5.) From this story, “it plainly appears,” as Godwin observes, “that the art of divination was extensively exercised in Egypt, that the practice was held in honour, and that such was the state of the country that it was to be presumed as a thing of course that a man of the high rank and distinction of Joseph should be an adept in it.”* To return to the magicians. “They were,” says Mr. Colquhoun, “in these early times held in the highest estimation by mankind, as the venerated depositaries of all science, sacred and profane—consequently as the mediators between earth and heaven, the interpreters of the divine will to the

* *Lives of the Necromancers.* By William Godwin. London : Mason, 1834. p. 48.

inhabitants of this lower world. Their social rank corresponded with the dignity of their sacred functions. They were either themselves princes of the land, or the chief tutors and indispensable councillors of princes, as we learn from the Old Testament and other records. As their duties, however, were paramount, so were their responsibilities great and stringent. The qualifications required from them, in addition to learning and practical wisdom, were strict devotion to truth and justice, and a pure disinterestedness of moral character. . . . Among the Persians, the magicians, as in other countries, presided over the sacerdotal office, and magic thus became combined with religion. Plato, in his 'Alcibiades,' informs us that the kings of Persia learn magic, which is a worship of the gods. Magic, therefore, in those ancient times, had reference to everything which was supposed to relate to human and divine science—to medicine and to philosophy, as well as to religious worship."* At an early period the office of priest was always combined with that of physician: the Hebrew priests were physicians among the Jews; the Asclepiadæ, or priests of Æsculapius, were the first physicians of the Greeks; and the Druids those of the northern nations. So also among the Naodëssis and Chippeways, the three titles of priest, physician, and sorcerer, were inseparable, and they are still so among the Osages. In Mexico the priest-magicians were for many years the only physicians. Hence medicine was originally cultivated as a branch of occult science, and practised in the temples wherein magical rites and magical formularies were had recourse to. It was from Egypt that the formularies which taught the use of herbs were derived, as well as many medical substances: but these formularies and substances were magically applied. The magicians of the Island of Sena cured persons who were by others deemed incurable. The Scandinavian virgins were at the same time instructed in magic, medicine, and the treatment of wounds. We ought also here to remark, as we shall have occasion to revert to the subject, that astrology, which was coeval with astronomy, also came within the range of magic, which, in fact, embraced all sciences. Accordingly we are not surprised to find the most illustrious philosophers travelled into India and Egypt in pursuit of this knowledge, and devoted themselves to its study. Cornelius Agrippa, in his "Occult Philosophy," observes, that "Pythagoras, Empedocles, Democritus, Plato, and many other renowned philosophers, travelled far by sea to learn this art, and, being returned, published it with wonderful devoutness, esteeming of it as a great secret. Also it is well known that Pythagoras and Plato went to the prophets of Memphis to learn it, and travelled through almost all Syria, Egypt, and Judæa, and the schools

* Hist: vol. i. p. 11—127.

of the Chaldeans, that they might not be ignorant of the most sacred memorials and records of magick, as also that they might be furnished with divine things. Whosoever, therefore, is desirous to study in this faculty, if he be not skilled in natural philosophy, wherein is discovered the qualities of things, and in which are found the occult properties of every being; and if he be not skilful in the mathematics, and the aspects and figures of the stars, upon which depends the sublime virtue and property of everything; and if he be not learned in theology, wherein are manifested those immaterial substances which dispense and administer all things—he cannot be possibly able to understand the rationality of magick. For there is no work that is done by meer magick, nor any work that is meerly magical that doth not comprehend these three faculties.”*

The secrets of magic, and the mystical rites and ceremonies practised by the Chaldean and Egyptian magicians, were thus communicated and carried into the Greek and Roman temples; and this brings us into the very heart of these mysteries—the solemn oracles delivered by the Pythian priestess, whose voice was listened to with awe and fear—the inspired Sibyls, whose prophetic volumes, when lost, the Roman augurs and the Roman people themselves would have given worlds to recover.† Then come the phenomena developed during the temple sleep, which fell upon all those who went to consult the oracle, and who passed into a state of what is considered ecstatic sonnambulism—all which are very curious subjects for investigation. But to proceed; when Chris-

* Three books of Occult Philosophy, written by Henry Cornelius Agrippa, of the Nettesheim, Counsellor to Charles the Fifth, Emperor of Germany, and Judge of the Pre-rogative Court. Translated from the Latin into the English tongue, by J. F. London: Printed for Gregory Moule, and are to be sold near the West end of St. Pauls, 1651.—p. 5.

† “Great was the veneration conceded to the sibyls in Greece and Rome; in proof of which we need only cite the Sibylline volume, to discredit which, in the olden time, would have been a matter of danger. It is known to all that a venerable sibyl came to Tarquin and offered to sell him nine volumes of her prophecies. When her price being taxed as exorbitant she threw three of the volumes into the fire, still requiring the same price for the remaining six. Still denied her price by Tarquin, three more of her books shared the same fate; and on her adhering to her original demand for the remaining three, Tarquin assembled the augurs, who advised the purchase, and the monarch was obliged to submit to the terms of the sibyl. From that moment the Sibylline leaves became objects of veneration. They were handed over into the custody of the priests, and consulted upon occasions of importance after a decree of the senate. These volumes were destroyed in the conflagration of the Capitol, eighty-three years before Christ—a severe calamity to the Romans, who looked upon the Sibylline books as a sacred charta. It is remarkable that after the destruction of these volumes the republic gradually declined and fell under the yoke of the emperors. Immense as was the loss of the volumes, considering their influence over the minds of the people, the augurs and senate hoped to replace the loss. Zealous missionaries were sent to all the cities of Europe, Asia, and Africa, which affected to possess sibylline verses, and more than two thousand were brought back. But we are to conclude they were far from genuine, as under their consultation the sibylline oracles declined in credit. Augustus suppressed

tianity became fairly established, the temples of the heathen* were overthrown, or converted into Christian churches;† their altars, which had been profaned by pagan rites, shattered, or consecrated and appropriated to the service of a holier and purer religion. Then the aspect of the civilized world underwent such a change as we behold when the

many of the verses, and the rest were burned by Stilicon, father-in-law of the emperor Honorius." (World of Wonders, pp. 120, 121. This book contains an interesting account of a variety of ancient and modern superstitions.) Mr. Colquhoun, who appears to have consulted an immense number of classical authorities on the subject, tells us that "little is known with certainty in regard to these sibyls. Even their exact number and names have been subjects of controversy," and "their precise number cannot now be determined." . . . "The sibylline books were consulted in cases of disease as well as in important affairs of state, and were particularly respected at Rome as the tutelary guardians of the empire."—Hist. v. i., p. 200.

* We do not, be it observed, use the word "*heathen*" in a derisive sense. To us it appears that the pagan religion, and all the multifarious creeds and forms of worship adopted in the East, were permitted by the Supreme Being to prevail for good and wise purposes, albeit we may not be able to fathom them. On this subject Mr. Colquhoun observes (and we think every conscientious Christian must agree with him), "The pagan religion, it is true, was full of superstitions, and every sane man must admit that the Christian scheme is in every respect infinitely preferable to that which it superseded. . . . But what rational being can believe that the Creator could have abandoned his creation to itself during four thousand years? Is it not more natural to conclude that if the Pagan religion was not more distinguished by its simplicity and its purity, it was because the Deity, in his infinite wisdom and mercy was pleased to wait until mankind, by contemplation and reflection, had time to elevate themselves to a purer faith, and, like the Hebrew nation, should come to adore him everywhere in the universe, without confining him to any particular spot." (Hist. vol. i. p. 215.) Further on he remarks, "The religion of the pagan world no doubt was full of the grossest and most degrading superstitions, and was utterly incapable of satisfying the minds or awakening the consciences of the more elevated classes of the people among whom it prevailed. Nevertheless, it was infinitely preferable to a total want of all religious faith and worship, and an indifference to those moral counsels and injunctions which are believed to emanate from a superior world. Nor ought it to be forgotten that this lower sphere of existence required to be prepared in some measure for the advent of Jesus Christ." (Hist. vol. ii. p. 2.) Many of the fathers of the church took this view. For our own part, we never could perceive the arch heresy of those lines in "*Childe Harold*," which an over fastidious critic in a quarterly review so vehemently reprobated:

"E'en gods must change—religions take their turn;
'Tis Jove's—'tis Mahomet's; and other creeds
Will rise with other years, till man shall learn
Vainly his incense soars, his victim bleeds."

The fact is an historical one; and even Pope, in "*The Universal Prayer*," which has always been admired for its fervent piety, expresses, but not so clearly, the same view—

"Father of all, in every age,
In every clime adored
By saint, by savage, and by sage—
Jehovah, Jove, our Lord."

There are, however, some hypocrites who maintain that Pope's "*Essay on Man*," "*The Universal Prayer*," &c., are only versifications of what they are pleased to call Lord Bolingbroke's "*shallow and hollow sophistry*."

† *Vide* "*Vestiges of Ancient Manners and Customs, discoverable in Italy and Sicily*." By the Reverend John James Blunt, Fellow of St. John's College, Cambridge. London: 1832.

morning sun dissipates the mists which sometimes obscure the fairest prospects upon earth. But it is contended that the same natural causes still remained in operation, and that during the middle ages the arts of sorcery and witchcraft re-developed the same effects which formerly had been exhibited in the ancient temples. Finally, the belief in sorcery and witchcraft has been generally exploded throughout Europe; and now animal magnetism appears upon the stage, and certainly it does not come before us as these heathen rites and ceremonies did—the visible symbols of the most extravagant superstitions; nor is it intruded upon us as sorcery and witchcraft were by the vulgar, under a cloud of impenetrable ignorance: but it assumes a more seductive aspect, pointing to curious and anomalous facts which have been observed by medical men in all ages, and inviting us to view these fairly in a psychological light.

“One of the great advantages,” says Mr. Colquhoun, in the “*Isis Revelata*,”* “attending the study of animal magnetism, is, that it tends to approximate the sciences of physiology and psychology—the phenomena of the material with those of the spiritual man—by demonstrating experimentally the intimate connexion that subsists between them. The study of physiology has of late been generally confined to an investigation of the component parts and mere material structure of the organism, with little or no regard to the principles which regulate their action in living beings. Psychological science, strictly so called, on the other hand, has been for a long time greatly neglected in this country, and its phenomena, even when they presented themselves to notice, have been almost entirely disregarded, although of paramount interest to every intelligent living being, and of the utmost importance to the philosophy of man.” This, be it observed, was written six years ago; since which period we have had the satisfaction of observing that the study of psychology, particularly in connexion with insanity and cerebral pathology, has become general. We cannot expect, as in the physical sciences, to make discoveries which shall be at once demonstrable and startling to the public mind. The analysis of the mental faculties cannot be exhibited, as Messrs. Brande and Faraday may exhibit the wonders of electro-magnetism at the Royal Institution. Here are no coruscations of light to be developed—no brilliant phenomena, which, by striking the eye, may arrest and entrance the attention; nevertheless, psychological science is progressing, and if animal magnetism could only assist in unveiling to us—as its sanguine professors promise—the laws which govern our spiritual nature, assuredly it

* Introduction. Vol. i. p. 24.

would be universally cultivated; for speculations of this description have been ever uppermost in the mind of man. But here is the *questio vexata*, the great stumbling-block, intercepting us on the very threshold of its temple.

The object of Mr. Colquhoun's "History of Magic, Witchcraft, and Animal Magnetism," is to prove that animal magnetism will explain all those miracles and mysteries which have been recorded in history: the magicians and heathen priests produced all the wonders ascribed to them, he assumes, by virtue of animal magnetism; sometimes by silent volition, sometimes even by manipulation; they were all, in reality, animal magnetizers—Moses, Aaron, and the prophets. "The prophetic views of Moses," he tells us, "were either the result of magical or magnetic intuition, in consequence of a natural predisposition to the ecstatic affection, an idiosyncrasy which appears to have been characteristically prevalent among the Jewish nation; or they were the effects of the immediate influence and inspiration of the Almighty; or both causes may have been combined." "The Scriptures abound with allusions to the magnetic treatment and phenomena, the prophetic dreams and visions of the Jewish patriarchs and seers were manifold."* "The miracles of the magicians, the Delphic and other oracles, the prophetic inscriptions of the sibyls, the temple sleep, the cures wrought by the Asclepiade—these were the triumphs of animal magnetism in those ages." But let us pause. It is only fair to observe, that other believers in animal magnetism may not esteem those views canonical; they are not essentially a part of the mesmeric code; and many who have faith in its doctrines may repudiate this application of them. We are not, be it observed, discussing the truth or falsehood of animal magnetism, but the explanation to be given of the historical evidence before us. And here we would urge upon the reader to keep steadily in view the susceptibility of the mind to be affected by impressions from without; and when these are of a solemn and imposing character, they may excite emotions which will act directly upon the whole physical organism, and give rise to effects which it is impossible to predicate. Abnormal effects may be produced when the spiritual attains ascendancy and power over the physical nature of man, which are in themselves exceedingly extraordinary. And it appears to us, that this direct action and influence of the mind upon the body will sufficiently account for such results, without having recourse to any magnetic fluid, or odyle force, or any other interposing material element, however exquisitely attenuated it may be supposed. The miracles performed by the magicians, and many recorded in the Old

* History, vol. i. p. 1.

Testament, cannot, we conceive, be brought in any way to dovetail with the magnetic theory. We cannot conceive how any amount of magnetic fluid—not even Reichenbach's "od force," with all its blue lights, could have converted the rod of Moses into a serpent—turned the river into blood; or how any magnetic influence they might have possessed would have enabled the magicians (Exodus viii. 7,) "with their enchantments, to bring up frogs upon the land of Egypt." The great contention for supernatural power between Moses and the Egyptians was designed obviously to show the people of Israel that the Almighty invested Moses with powers beyond those which the magicians could command. And these miracles doubtless were intended to vindicate the great power of the Almighty, and convert the Israelites who witnessed them, from their idolatry. We cannot perceive what the assumed "magical or magnetic intuition" of Moses could have to do with summoning up reptiles, and casting other plagues on the land of Egypt; nor do we admit that both causes may be combined. We next come to the magnetic theory of the interpretation of dreams. Here, again, we cannot perceive how the principles of animal magnetism could have been applied. When the magicians were called upon to interpret the dream of Pharaoh—when Daniel was commanded to interpret the dream of Nebuchadnezzar, the dream, be it observed, in each case, was at an end. The dream of Pharaoh had passed, and "in the morning his spirit was troubled." The dream of Nebuchadnezzar was forgotten, and his "spirit was troubled to know the dream." The magicians, astrologers, sorcerers, and Chaldeans were thereupon sent for, to show the king his dreams, and interpret them, which they failed in doing, but which Daniel accomplished. How can the doctrine of animal magnetism, we ask, be in either of these instances applied? If the dream-interpreters in either case had been introduced into the presence of the sleeper, and described what was passing through the dreamer's mind, and the signification of the same, the examples would be more apposite; but when these oneiro-critics were called in to propound its meaning, the dream had flitted past—the relation between the interpreter and the dreamer—the magnetizer and subject of magnetization, had not, upon magnetic principles, been established; there could have been no *rapport* between them; no thought-reading of thoughts that had passed away and were forgotten. The oneiro-criticism, or interpretation of dreams, was always a branch of occult science, but animal magnetizers do not profess to possess this faculty, and do not, we presume, go about expounding dreams.

The connexion between animal magnetism and the oracles of antiquity next claims our notice. These oracles were very numerous.

The chief was that of Delphi; there were, besides, oracles of Zeus, Apollo, and other gods, and many were erected to Æsculapius, the most celebrated of which was the temple at Epidaurus. This, Mr. Colquhoun has specially selected, in order to exhibit the particular procedures adopted in these temples. We must, our space being limited, abbreviate his very graphic description, and request the reader to consider, as he proceeds, the effects, independent of animal magnetism, likely to be produced upon any mind, even the best informed in the present day, by such scenes and ceremonies as are here described. "Epidaurus is said to have been the birthplace of Æsculapius; and for this reason it was held to be peculiarly sacred. Multitudes of patients flocked to this temple, in order to recover their lost health, and to become enlightened by divine dreams. The temple itself was situated in a beautiful spot upon a considerable eminence. On all sides it was surrounded by wooded hills, where the air was exceedingly pure, and there was abundance of excellent spring water. The charms of nature were enhanced by beautiful artificial groves and pleasure walks, and even enchanting spectacles. Behind the temple stood the dormitory for the patients, and near it a round marble bath. In the temple itself there were many antechambers, and in the very innermost recess the statue of the god. . . . No person, unless on very rare and uncommon occasions, was admitted into the interior of the sanctuary; the priests alone had access to the presence of the deity. Sometimes strangers were not even permitted to approach the temple. Those who desired access to it, were obliged first to prepare themselves in the neighbouring temple of Isis. In the antechambers of the temple were many votive tablets containing descriptions of diseases and the remedies successfully exhibited. These were sometimes engraved on the pillars of the temples. . . . Upon entering the Temples the patients were bound by the most solemn promise to pay implicit obedience to the orders and prescriptions of the superintending priests. Abstinence in regard to diet was strictly enforced, and especially from the use of wine. The priests conducted the patients through the antechambers of the temple, pointed out to them the images and votive tablets, and related the miraculous cures which had been performed through the aid of the presiding tutelary deity. Prayers were offered up and sacred hymns were sung, the latter frequently accompanied by instrumental music; and sacrifices were made for the purpose of conciliating the favour of the patron god. Baths were always employed as a part of the preparatory treatment; as also the drinking of pure water. The baths were usually accompanied with frictions, and with

various manipulations and anointments (the magnetic treatment). These frictions and manipulations were cautiously administered by individuals specially appointed and trained up and indoctrinated for that particular purpose. Fumigations were also employed previously to admission to the oracle. The object of all the preparatory ceremonies and observances generally, was to induce sleep; and when this disposition was manifested, the patients were laid to sleep, frequently upon the skin of a new-slaughtered sheep (*incubatio*), in the usual dormitory. This temple-sleep or incubation, however, according to Pausanias, generally took place at night, in the different apartments of the dormitory, in darkness and solemn silence. . . . In this temple-sleep, as in the mesmeric crisis, dreams and visions occurred, and the prophetic faculty was developed in a manner similar to that which is occasionally elicited by the magnetic treatment. . . . Some of these temple-sleepers not only prophesied, but composed and recited very beautiful verses, a talent which, as we formerly observed, has been occasionally exhibited by the insane, as well as by somnambulists and ecstasies.*

The inferences which Mr. Colquhoun deduces from this and similar accounts, which are clearly enough authentic, are, that the patients who went to consult the oracles on the subject of their health, slept during the night in the temple of *Æsculapius*, where, during the darkness and solemnity of the surrounding scene, they were magnetized by the priests. He adds, "It is now well known that a particular place, a particular apartment, may be specially magnetized, and somnambulism thus rendered infectious;" and that in the ancient temples there was a particular place appointed, a special apartment, a dormitory, where the patients slept, and under "these circumstances were manifested all those curious phenomena which have astonished, puzzled, bewildered, and perplexed philosophers in all subsequent ages."

Before commenting on the inferences which Mr. Colquhoun has here drawn, let us cross over to the southern side of Parnassus, and enter the chief temple of Apollo—that of Delphi, which was the most celebrated of all the Greek oracles. This temple, too, which was said to have been formed originally of laurel branches only, but which was afterwards converted into a more solid and lasting edifice of stone, was also beautifully situated. The internal arrangements were very similar to those in the temple of *Æsculapius*; different apartments being provided for the sick, and for those who merely came to consult the oracle. "The Pythia herself had a distinct and separate

* History, vol. i. p. 172, *et seq.*

apartment, into which no person whatever was admitted; and, near to this, was a small cabinet, where those who came to consult her awaited her responses. The open entrance to the cell appropriated to the Pythia was entirely covered with laurel leaves, so that no one who approached it could perceive the prophetess. Among plants, the laurel, as is well known, was particularly sacred to Apollo; and it was believed to possess the property of inducing sleep and dreams.* In early times, young women were for the most part selected for the prophetic office; the Pythiæ (from the word Pythius, a soothsayer) were young and often beautiful girls, of simple manners, chosen out of the lower classes of society. The apartment of the oracle was situated over a chasm, from which issued intoxicating vapours, and she sat upon a *tripos*, or three-legged stool, perforated with holes, immediately over the aperture through which these vapours rose. The Pythiæ were frequently obliged to be changed, on account of the deleterious influence of the gas on their constitutions; indeed, some of them fell victims to its deleterious influence, although they prepared themselves, before ascending the *tripos*, by fasting three days, and bathing in the Castalian fountain. Plutarch informs us that the Pythia, in her delirium, has leaped from the *tripos*, been thrown into convulsions, and after a few days has died.† Having mounted the *tripos*, the intoxicating vapours soon began to take effect; her figure seemed to enlarge, her heart panted, her bosom swelled, her voice grew more than human, and in this state of ecstatic delirium she uttered wild and incoherent phrases, which were supposed to flow from inspiration. In her appearance supernatural,‡ she was listened to with devout awe; and every word she uttered was supposed to convey a prophetic meaning. We care not to examine how far these predictions were verified; it is sufficient to know they were universally accredited; the question suggested by Mr. Colquhoun's history, is, whether the effects which really were

* History, vol. i. p. 179.

† Plutarch. Orat. Def., c. 51.

‡ The classical reader will remember Virgil's description of the Pythoness, "*Deus, ecce Deus*," thus paraphrased by Dryden:

"He comes—he comes—behold the God! While thus she said,
(And shivering at the entry staid,) Her colour changed—her face was not the same;
And hollow groans from her deep spirit came;
Her hair stood up; convulsing rage possessed
Her trembling limbs, and heaved her labouring breast.
Greater than human kind she seemed to look;
And with an accent more than mortal spoke.
Her starting eyes with sparkling fury roll;
And all the god came rushing on her soul!"

Æneid, lib. vii. v. 47.

produced, are to be accounted for subjectively, or by animal magnetism?—that is to say, whether the combined action of a variety of external causes so affected the mind as to cause it to pass subjectively into various abnormal conditions, which consentaneously re-acted upon the body?—or, whether a subtle magnetic fluid was put into operation, which, penetrating the organic system, affected the senses, causing the mind to enter into new and more lucid relations with the surrounding world? All the objective or extraneous circumstances must be fairly taken into consideration. We must suppose that the interior of the temple presented a most imposing and solemn aspect ;—and who ever entered any Gothic cathedral, or any great ruin, like the Colosseum at Rome, and looked around him, without being deeply impressed with a sense of awe and of devotion ?* We must remember that the suppliant seeking the aid of the oracle, whether in health or in sickness, was so far already victimized by his own faith, that he believed firmly in the supernatural powers of the magician or priest, and had only to close his eyelids to behold the vision he was told would infal-

We confess we prefer Wordsworth's description of Laodamia even to Virgil's :

"So speaking, and by fervent love endowed
With faith, the suppliant heavenward lifts her hands ;
While, like the sun emerging from a cloud,
Her countenance brightens, and her eye expands ;
Her bosom heaves and spreads, her stature grows,
And she expects the issue in repose.
O terror ! what hath she perceived ? O joy !
What doth she behold ?" * * *

And how fuely does this picture contrast with that of Hermes !

"Peace, he said.
 She looked upon him and was calmed and cheered.
 The ghastly colour from his lips had fled ;
 In his deportment, shape, and mien appeared
Elysian beauty, melancholy grace,
Brought from a pensive though a happy place.
He spake of love, such love as spirits feel." * * *

There are few finer poems in the English language than the "Laodamia," by Wordsworth.

* Milton, in the well-known description of "the high embowed roof," "antic pillars," and painted windows of a cathedral, casting around a "dim, religious light," had clearly in view the ecstatic visions which a state of high religious fervour might excite :

"Then let the pealing organ blow
 To the full-voiced choir below,
 In service high and anthems clear,
 As may with sweetness through mine ear
Dissolve me into ecstasies,
And bring all heaven before my eyes."

Young, in his "Night Thoughts," alludes to the exaltation of the mind during prayer, and describes the suppliant as

"Man in audience with the Deity."

libly appear. We must well consider the effects of the preparatory ceremonies—the absolute solitude, the profound tranquillity, the prolonged abstinence, the bathing, accompanied by frictions and anointment with unguents, which were composed of very active ingredients, while perfumes and fumigations, intended to affect the senses, were diffused through the atmosphere; we have only to bear these preliminary proceedings in mind, and recollect in addition that at the same time prayers were being offered up, sacred hymns sung, accompanied with exquisite instrumental music, while sacrifices were being made to propitiate the favour of the patron god, and we must admit the existence of every predisposing cause to produce sleep, dreams, and visions. But this is not all; the magicians and priests were adepts in every branch of practical science. They could, by the aid of plane and concave mirrors, which were made of steel, silver, or a composition of copper and tin, produce a variety of optical illusions; they could terrify the beholder, by calling up the apparition either of gods or men; they were well acquainted with the principles of acoustics, and could at pleasure not only make thunder reverberate from the roof round the walls of the temple, but constructed ingenious instruments the sounds of which resembled the human voice. They were also expert ventriloquists, and, without being observed to move their own lips, could make sounds appear to issue from the altar, and their statues speak in the name of the gods they represented.* Add to all this, that although the mechanical knowledge of the ancients was not extensive, they carried the art of mechanism to very great perfection; and many of the wonders performed in the temples were achieved by mechanical agency. Their self-moving automata, indeed, were constructed with singular ingenuity; witness the wooden dove, so wonderfully constructed by the philosopher Archytas, that it flew, and sustained

* The learned Eusebe Salverte has, in his work on the Occult Sciences, proved that the ancients were well acquainted with acoustics, optics, hydrostatics, and with many chemical substances, as pyrophorus, phosphorus, naphtha, and alcoholic liquids. They used compositions similar to gunpowder, whereby they produced thunder and lightning; and had recourse to a variety of expedients whereby they on a sudden produced the development of light, heat, and flame. The marvellous philtre—the blood of Nessus—which Dejanira poured on the tunic of her inconstant husband; the poison poured by Medea upon the robe which she sent to her rival, he presumes was a phosphuret of sulphur; thus he ingeniously enough explains how all these apparent miracles were performed. The wand of science dispels the whole mystery. But in some instances we are inclined to think that Salverte, in endeavouring to account for everything, strains his hypothesis; at all events, he passes over in silence the physiological and psychological effects which were unquestionably developed, which are not the less interesting because they were artificially produced.—See the “Philosophy of Magic Prodigies and Apparent Miracles;” French; and the English translation, with notes, by Anthony Todd Thomson, M.D. 2 vols. London, 1846. Also Sir David Brewster’s “Letters on Natural Magic.” Family Library, No. xxxiii.

itself for some time in the air; also their moving floors. It is even supposed, from examining the pavement in the ruins of the temple of Ceres at Eleusis, that the floor of this sanctuary was double, the upper having grooves and pulleys whereby it might be raised up and down, to and fro; while underneath the latter was a vault, destined to admit of the action of the necessary machinery. Finally, they were acquainted with many secrets in chemistry; they could make and give different colouring to artificial fire; they could change fluids visibly from one colour to another—from azure blue to purple, from purple to deep red; and could, when they wished to announce an impending calamity, make the vases on the altar of the temple appear to overflow with blood.

The mystic rites enjoined by the pagan religion were in themselves, doubtless, sufficiently imposing; but when, in addition to these, we find the magicians and priests availed themselves of the resources of practical science with which they were familiar, in order to fill their temples with aural and visual illusions, we cannot wonder at the results produced—that the senses should be deluded, and the mind thereby deeply and strangely affected. We must, indeed, take into consideration all the exciting causes. The object, or at any rate the effect, of the preliminary treatment prescribed in all the temples was, to subdue the physical forces which sustain the health of the body, so that it could no longer resist any powerful mental impression. Every physician knows that a healthy and vigorous state of the constitution will enable it to ward off many morbid feelings and delusions which sick fancies will engender; but here we find the temple-sleepers preparing themselves for their dreams and visions by a preliminary discipline, which could not do otherwise than prostrate the energies of the nervous system. Look at the Pythoness. We all know that certain narcotics and intoxicating beverages act as powerful neuro-stimulants: opium, haschisch, stramonium, aconite, the juice of the sun or lotus plant (the Soma drink), evidently have and will still produce extraordinary dreams and visions. But here we must picture to ourselves a young officiating priestess, after undergoing the mystic and secret rites of self-preparation, conducted with much ceremony to the sacred *tripos*. She mounts it with great solemnity, and, while inhaling vapours far more intoxicating than the nitrous oxide gas, becomes delirious:* her efforts are preternatural, her gestures vehement, her voice ever and anon fails her,

* The vapour which issued from the mouth of the cavern was supposed to be carbonic acid gas; but Dr. A. T. Thomson observes, that gas "is not sufficiently intoxicating, and I suspect the gas was sulphurous acid, as it caused almost frantic delirium. The secondary effects experienced by the Delphic priestesses were vertigo, nausea, and great weakness of the lower extremities."—*Note in Salverte*, vol. i. p. 165.

and, amidst sudden breaks and abrupt pauses in articulation, she pours forth her half-articulate prophecies; and sometimes, completely overpowered, falls senseless to the ground. "Inebriated with the gas (says Salverte) that exuded beneath the *tripos*, the Delphic priestess fell into a nervous, convulsive, and ecstatic state, against which she might struggle without being able to regain her self-possession. Whilst out of her senses, and under the sway of an over-excited imagination, she uttered some words, or mysterious phrases, from which it was the care of the priests, who stood around her carefully recording every syllable, to extract the revelations of the future. All this is as natural as the sinking languor which succeeded this excessive disorder of body and mind, and which, sooner or later, proved mortal."*

The mental phenomena which are unquestionably developed in a state of high ecstatic mania, which Hecker shows characterized, more or less, all the mental epidemics of the middle ages, and which in our own times have been witnessed in the religious enthusiasts who attended the ministrations of Wesley and Whitfield, are in the highest degree interesting to the psychologist and the physician. This state of ecstasy, the existence of which cannot be doubted, Mr. Colquhoun considers to be identical with analogous states produced by animal magnetism; and here therefore we come to the *questio vexata*—are such mental phenomena to be accounted for upon psychological principles, or are they to be ascribed to the existence of this very subtle magnetic fluid? When we review all the evidence, we cannot help coming to the conclusion that the impressions made upon the mind by the rites and ceremonies described were quite adequate to excite a succession of subjective impulses, which would cause the mind to pass through all these abnormal phases. We observe the same in insanity;—the mind, energizing within itself, in accordance with its own active principles, becomes highly excited. Who has not heard the poor lunatic pouring forth his prophetic rhapsodies: his conceptions are more vivid, his imagination more active, than during his lucid intervals. But what light can the existence of any imaginary material fluid throw upon the mental pathology of his disease? We can conceive the mind subjectively stimulated into such conditions; but the influence of no fluid, however ethereal, can explain to us the phenomena of thought. The vital fluid, the nervous fluid, the magnetic fluid, are supposed to be all modifications of each other, just as light, heat, electricity, and mineral magnetism; and Mr. Colquhoun, availing himself of the interesting researches of Reil, Autenreith, Humboldt, Burdach, Bichat, and others,—demonstrating, not only the secretion and circulation of a

* Salverte, *op. cit.*, vol. i. p. 165.

nervous fluid, but suggesting the probability that this fluid is capable of an external expansion, which takes place with such energy as to form an atmosphere, or sphere of activity, similar to that of electrical bodies,—argues that it is not straining the hypothesis too far to presume that it is capable of being transmitted or directed onwards, either involuntarily or by the volition of one individual, with such energy as to produce certain real and perceptible effects upon the organism of another, in a manner analogous to what is known to occur in the case of the torpedo, the *gymnotus electricus*, &c.* Since the publication of the “*Isis Revelata*,” the Baron Reichenbach is said to have discovered a principle more subtle than the magnetic fluid, which he has designated the “od” force, or the odyle. This new imponderable was observed by some of his very sensitive and nervous patients, whose acuteness of vision was such that they observed luminous emanations, like small flames—white, yellow, blue, red, and green—proceeding from the poles of the magnet. These researches have been followed up by Dr. Gregory and Mr. Lewis; and it is now affirmed that this luminous fluid—which escapes the observation of persons not endowed with a very high degree of visual sensibility—during the process of animal magnetism, may be seen emanating from the fingers of the operator. “The degree of augmentation of visual sensibility (says Dr. Gregory) must vary exceedingly. I have met with several persons who could, in their ordinary state, see blue light or grey emanating from the ends of my fingers, when I was in the act of mesmerizing. I could enumerate twenty persons who in their ordinary waking state could see these emanations from my fingers, and some of them from my eyes and my forehead. To my mind (he adds) the fact is sufficiently established, that from the functional extremities of the nerves of living beings a fluid, bearing some analogies to the magnetic fluid, emanates the more abundant as thought and will are modified.”† We believe thoroughly in the good faith of Dr. Gregory, and have no doubt that he saw, or imagined he saw, these luminous emanations; but they may, nevertheless, have been only optical illusions, for by intensity of gazing an irritation might be excited in the visual organs, and an irregularity in the circulation of blood through the vessels of the retina, which, in all probability, would satisfactorily account for the phenomena. Many persons subjected to head-ache from determination of blood to the brain, shutting their eyes, will see streaks and sparks, and globes of fire; but supposing that the “od”‡ force really did exist, with all its lu-

* *Isis Revelata*, vol. i. p. 182; vol. ii. p. 151.

† *Letters on Animal Magnetism*.

‡ The “Zoist” takes up arms against this subtle enemy, and relaxing into a spirit of unusual levity, scarcely becoming a state of mesmeric coma, cites some terminal lines from the stanzas of a legend entitled “*The Lay of St. O’dille*,” by the late Thomas

minosity, it would only prove the development of a very subtle imponderable fluid in the human body, akin to what is considered to be the nervous or vital fluid. The hypothesis that an ethereal fluid pervaded the universe, establishing inter-stellar relations between distant planets, and diffusing itself, not only through the particles of inorganic, but of organic matter—the pantheistic notion that it was an emanation from, or extension of, the Deity himself, infusing vitality into all created beings, constituting in itself the soul of man, is very ancient. It was the “Anima Mundi” of the Greek philosophers, some of whom maintained

Ingoldsby, Esq. The “Zoist” speculates that the word “*od*” [not spelt as the word *odd*, though the whole thing is *odd* enough,] may have occurred to Baron Reichenbach from the name of the Teutonic god “Odin.” But Mr. Thomas Ingoldsby knew more of the veritable origin of saints than most of their biographers. Whence, then, the derivation of the name “Odille?” The “Zoist” says, “there was once a saint of this name.” Q. E. D. ! “Mr. Barney Maguire (says Ingoldsby) has laid claim to the *next saint* as his countryman; and why wouldn’t he? When all the world knows the ODELLS [not presuming to have descended from Odin] were a fine ould ancient family—sated in Tipperary,

‘Ere the Lord Mayor stole his collar of gowld,
And sowld it away to a traitor.’”

He is manifestly wrong; but, as he very rationally observes, “no matter for that—she’s a saint anyway.” The “Zoist” has omitted this etymological notification! The legend however happens to come in very *apropos*, it begins

“Odille was a maid of a dignified race,
Her father, Count Otto, was lord of Alsace,
Such an air—such a grace—
Such a form—such a face,
All agreed ‘twere a *fruitless endeavour to trace*
In the court, or within fifty miles of the place.”

The self-same difficulty—the same “fruitless endeavour to trace” its origin attends the existence of the Baron Reichenbach’s “Od Force.” The “Lay of St. Odille” is droll enough; but the “Zoist” should have remembered “the Lady Odille” “was quite nervous with fear,” which may account for many of the Odillic luminous phenomena seen by the baron’s nervous patients. The termination of the several stanzas applied amusingly enough to this alleged “Od Force.”

“Many ladies in Strasburg were beautiful; still
They were bent all to sticks by the lovely Odille.”

He gained the old count, who said, ‘Come, Mynheer, fill;
Here’s a health to yourself and the lovely Odille.’

And of all whom they met, high or low, jack or jill,
Asked, ‘Pray have you seen any thing late of Odille?’

‘Twas her voice! But ‘twas *vox et preterea nil*—
Nor could any one guess what was gone with Odille.

Then burst from the mountain a splendour, that quite
Eclipsed in its brilliance the finest Bude light.
‘I am really ashamed of you both; my nerves thrill
At your scandalous conduct to poor dear Odille.’”

that light dwelt in God and God in light; and, although this doctrine be now repudiated, it suggested the existence of sympathies between God and man—between man and the stars that shine down upon his pathway through this sublunary sphere, which could not fail to give rise to many fervid emotions and self-elevating aspirations. Upon this theory the system of astrology, the origin of which was coeval with astronomy, was founded; the fluid which originated in the Godhead being supposed to radiate from the planets, and diffuse itself through the vital system of man, modifying according to the position and aspect of the planet which transmitted it all the functions. It is clear that medicine was at this period considered an astronomic or astrologic science; every part of the body was considered to be under the influence of one particular zodiacal constellation;* every medicinal substance imbibed its virtue from a starry influence; and our hieroglyphical prefix to our prescriptions—our recipe, *℞*—remains to this day the symbol of Jupiter. This belief in astrology—the assumed influence of the stars upon the body through the medium of this subtle ether—was uppermost in the mind of Mesmer, when he began the study of animal magnetism. He had, indeed, already written and defended an inaugural dissertation “On the Influence of the Planets upon the Human Body.”† The existence of this universal magnetic power had, in fact, been assumed by a host of eminent philosophers, who attempted thereby to

* Manlius gives us the following description of their powers :—

“Namque Aries capiti; Taurus cervicibus hæret
Brachia sub Geminis censentur; pectora Cancro
Te scapulæ Nemæe vocant, teque ilia Virgo :
Libra colit clunes; et Scorpius inguine regnat :
Et femur Arcitenens, genua et Capricornus amavit,
Cruraque defendit Juvenis vestigia Pisces.”

Astronomicon, lib. i., 119.

We see also by Chaucer's description that astrology, in his day, formed part of the study of the physician :—

“With us there was a doctour of physike;
In all this world ne was there one like him
To speak of phisike and of surgeric;
For he was grounded in astronomie.
He kept his patients in full great dell
In houses; by his magicke naturell
Well couth he fortune the ascendant
Of his image for his patient.”

“There is no infirmity, or disease,” says Dr. Blagrave, “whatsoever, but in a second cause proceedeth from the influence of the afflicting planets, and what infirmity soever any planet causeth, he hath herbs by sympathy to cure it.” This seems to anticipate Hahnemann's doctrine, “*Similia similibus curantur*.”—Astrological Physic. The True Way to Cure all Kinds of Diseases. By Joseph Blagrave, Student in Philosophy and Physic. London: 1689.

† “Isis Revelata,” vol. i., p. 151.

explain the dependence and reciprocal action of bodies in general upon each other, and the phenomena of the vital organization. "They also," adds Mr. Colquhoun, "broadly and distinctly maintained the proposition that the will or imagination of man, when energetically called into action, is capable of producing certain perceptible effects, even at a considerable distance."* This fluid theory, therefore, is of considerable antiquity. For our own part, we doubt not the existence of some nervous fluid, or aura, circulating from the nervous centres to the periphery, and its reflex action; but we cannot understand how the intervention of any magnetic or odyle fluid, however exquisitely attenuated, can blend itself with mental phenomena, or in any way account for the purely subjective operations of the mind. In the infancy of analytical science bodies were considered to be simple which the progress of experimental philosophy has proved to be compound. The earths were by Sir H. Davy's galvanic battery decomposed, and proved to consist of a metallic basis united with oxygen; light has been converted into heat, and heat into light; and we are indebted to Mr. Faraday for experimentally proving the identity between electricity and magnetism. When, therefore, we come to consider the magnetic fluid, and are informed of the discovery of a still more subtile element—the odyle force or fluid—we only advance one step further; we arrive

* The soul of the world (says Cornelius Agrippa,) is "the intelligible itself."
 "As the powers of our soul are communicated to the members of the body by the spirit, so also the virtue of the soul of the world is diffused through all things by this quintessence, for there is nothing formed in the whole world that hath not a spark of the virtue thereof. Yet it is more, nay, most of all, infused into those things which have received or taken in most of this spirit. Now this spirit is taken in by the rays of the stars, so far forth as things render themselves conformable to them. By this spirit, therefore, every occult property is conveyed into herbs, stones, metals, animals, through the sun, moon, planets, and through stars higher than the planets." (*Op. cit.*, b. i. c. xiv. p. 33.) We also find a chapter in this book entitled "How the passions of the mind can work out of themselves upon another's body." The following passage clearly enough anticipates all that Mesmer maintained:—"Let no man wonder that the body and soul of one may, in like manner, be affected with the mind of another, seeing the mind is far more powerful, strong, fervent, and more prevalent by its motions than vapours exhaling out of bodies; neither are there wanting medicines by which it should work, neither is another body less subjected to another's mind than to another's body. Upon this account they say that a man by his affection and habit only may act upon another." (*Ibid.*, b. i. c. lxv. p. 146.) Furthermore he observes: "Our mind doth affect divers things by faith; we must, therefore, in every work and application of things, affect vehemently, imagine, hope, and believe strongly, for that will be a great help. And it is verified among physicians that a strong belief and an undoubted hope and love towards the physician and medicine, conduce much to health, yea more sometimes than the medicine itself. For the same that the efficacy and virtue of the medicine works, the same doth the strong imagination of the physician work, being able to change the qualities in the bodies of the sick, especially when the patient places much confidence in the physician, by that means disposing himself for the receiving the virtue of the physician and the physick. Therefore, he that works in magic must be of a constant belief, be credulous and not at all doubt of the obtaining the effects." (*Occult Philosophy*, b. i. c. lxiv. p. 148.) Surely this is the very language of modern mesmerism.

only at a form of matter more subtile than any hitherto known ; but we are still dealing with matter, however imponderable and refined, and we cannot conceive it convertible into thought, or affecting the independent subjectivity of the mind. The interposition, as a "*tertium quid*" between mind and matter, only increases our difficulty, by adding another link to the chain of mystery. It clears up nothing—it tends to explain nothing ; the odyle light itself only contributes to render "darkness visible."

We cannot conceive why the professors of Animal Magnetism should be so enamoured of this fluid hypothesis, when the immediate and indisputable action and power of the mind upon the body so palpably may account for so many of the effects which they describe. With one accord they preach a fierce crusade against the subjective or Psychological Theory ; the influence of the imagination they denounce and ridicule as a heresy long since exploded ; yet, in every page they write, we constantly recognise its magic power. What but imagination, sympathy, and that fatal proclivity to imitation which so many nervous people possess, rendered the mental epidemics described by Hecker so contagious ? How otherwise can we account for the miraculous cures which were wrought at St. Medard on the tomb of the Abbé de Paris ? "In the case of these convulsionaries," says Mr. Braid in his answer to Mr. Colquhoun, "I would beg leave to ask how a nervous or vital force could have passed from the *ashes* of the buried saint ? Mental emotion, imitation and faith, or confidence, were quite adequate to account for all which was there manifested"* The magical effects of talismans, amulets, and all manner of holy relics ; the fragments of the bones of martyrs ; thorns from the crown of the Saviour at his crucifixion, and pieces of wood supposed to have been part of the cross itself ; how, excepting by strong faith and imagination, could these inanimate substances have effected cures ? Look at the frantic zeal of the Flagellants, and the wild delirium of the victims of the dancing mania, how much they could endure without any visible signs of pain, while their bodies were swathed and their waists cruelly compressed by cloths or ropes. "While dancing," says Hecker, they "neither saw nor heard, being insensible to external impressions through the senses, but they were haunted by visions, their fancies conjuring up spirits, whose names they shrieked out. Some of them afterwards asserted that they felt as if they had been immersed in a stream of blood which obliged them to leap so high. Others, during their paroxysm, saw the heaven open, and the Saviour appear enthroned with the Virgin Mary, according

* Magic, Witchcraft, &c. * *Op. cit.* By James Braid. Page 5.

as the religious notions of the age were strangely and variously reflected in their imaginations.* There can be no doubt, and the scenes which occurred almost within our time among their congregations, during the preaching of Wesley and Whitfield, sufficiently prove that excessive religious fervour will give rise to ecstatic mania.† We by no means doubt the circumstantial description which the Earl of Shrewsbury has given us of the state in which he found the Ecstatica of Caldero (Maria Mörl) and the Addolorata of Capriana (Domenica Lazzari.) Neither will we gainsay the magnetic ecstasy of the prophetess of Prevorst, whose case Dr. Kerner has so fully described.‡ We have no doubt that Ignatius Loyola, Joan of Arc, the Maid of Kent, Johanna Southcote, and many other visionaries imagining themselves inspired, were in a state of ecstatic mania, a form of insanity which develops many very extraordinary mental phenomena; they saw clearly enough the visions which their imagination, even without a sleep, conjured up; they poured forth, with the volubility of the Pythoness, their prophetic rhapsodies; but they flowed, we believe, from the fountains of a diseased mind, and did not emanate from, or evince the existence of any material fluid, ethereal, magnetic, or odylic. Similar states of mental aberration are constantly seen in lunatic asylums. Who can doubt that all descriptions of enthusiasm are contagious? Notwithstanding, therefore, all that has been written against the imaginative theory, we believe that Hecker was perfectly right in ascribing the mental epidemics, of which he has given so interesting an account, to the effects of a disordered imagination. "These plagues," he observes, (the brotherhood of the Flagellants, the dancing mania, Tarantism and Tigretier,) "crept on and found abundant food in the tone of thought which prevailed in the fourteenth and fifteenth centuries, and even in a minor degree through the sixteenth and seventeenth, causing a permanent disease of the mind, and exhibiting in those cities to whose inhabitants they were a novelty, scenes as strange as they were detestable."§ We use the word "imagination," however, in its most comprehensive sense; for, as Sir William Hamilton has philosophically remarked, "it should always be remembered, that the various mental energies are all only possible in

* Hecker. *Epidemics of the Middle Ages*. Sydenham Society. London: 1844. Page 88.

† Life of Wesley. By Robert Southey. Vol. i., pp. 245 *et seq.*

‡ Much curious information on this subject will be found in Meric and Casaubon's *Treatise on Enthusiasm*. London: 1655. The cases to which he refers, he tells us, "verified the saying of Plato, that whereas the souls of ordinary men were placed in their bodies, but the bodies of holy men and philosophers were placed in their souls (p. 128)." We are told of the Prophetess of Prevorst, that "she belonged to a world of spirits. She was half spirit herself. . . . Her body clothed her spirit like a thin veil."

§ Hecker. *Op. cit.*, pp. 88-91.

and through each other; and that our psychological analyses do not ~~suppose~~ any real distinction of the operations which we discriminate by different names. Thought and volition can no more be exerted apart, than the sides and angles of a square can exist separately from each other.* The same may be said of thought and imagination; it is the mind as a whole, in a state of intense concentration, which acts so powerfully on the physical organism.† Innumerable instances have been recorded shewing the influence of the imagination upon the body. The following is one of these affecting anecdotes. "Two young men intending to play a practical joke upon their sister, borrowed a skeleton from a neighbouring surgery and placed it in her bed-room. When she retired to bed they listened, expecting to hear a sudden scream; they were disappointed and retired to rest, wondering at her self-possession; but when the servant entered the room in the morning she was found playing with the skeleton in a state of complete fatuity." But imagination on the other hand may be conducive to health and happiness, and even surround us with agreeable illusions, in illustration of which Mr. Colquhoun cites a very affecting story from "Kotzebue's Journey to Paris." The sympathy between stringed musical instruments is well known even to watchmakers. "A young lady used to play on the harpsichord while her lover accompanied her on the harp. The young man died, and the harp remained in her room. After the first excess of her despair, she sank into the deepest melancholy, and some time elapsed before she could again sit down to her instrument. At last she did so, gave some touches, and hark! The harp, tuned alike, resounded in echo. The poor girl was at first seized with a secret shuddering, but soon felt a kind of soothing melancholy. She became firmly persuaded that the spirit of the lover was softly sweeping the strings of the instrument. The harpsichord from this moment constituted her only pleasure as it afforded to her mind the certainty that her lover was still hovering about her. One of those unfeeling men who want to know and clear up very thing, entered her apartment, the girl begged him to be

* Reid's Collected Writings. *Op. cit.*, p. 242.

† Hence the acute pain often caused by intense thinking. The concentrated action of the mind doubtless affecting the delicate nervous tissue of the brain. Deep study and unremitting application will produce mental derangement. So will constant reflection on any very great domestic calamity—

"That way madness lies."

In the "Fair Penitent," Rowe beautifully describes this painful dominion of thought—

"Turn not to thought, my brain; but let me find
Some unfrequented shade; there lay me down,
And let forgetful dulness steal upon me
To soften and assuage this pain of thinking."

quiet, for at that very moment the dear harp spoke most distinctly. Being informed of the amiable illusion which overcame her reason, he laughed; and, with a great display of learning, proved to her by experimental physics that all this was very natural. From that instant the young lady grew melancholy, drooped, and soon after died.”*

But we exceed our limits. The “*Letters on Animal Magnetism*,” by Dr. Williams Gregory, evince an unbounded belief in all the highest mysteries of animal magnetism, which he himself practices with much enthusiasm; a circumstance that calls our attention—albeit we do not wish to cavil about trifles—to Mr. Colquhoun’s very unjust reflections against the medical profession. He accuses its members of “distinguishing themselves throughout by their virulent opposition to the new discovery,” which he attributes to “very obvious, although not very generous or creditable, motives.” He furthermore states that “our present generation of doctors and professors, however skilful in the mere technicalities of their art, and however learned in all the knowledge of a meagre, material, and narrow-minded system of philosophy, are, for the most part, utter sceptics and infidels in regard to the influence of any spiritual powers over the modifications and manifestations of the human organism.”† We marvel exceedingly that Mr. Colquhoun should, under the circumstances of the case, cast such aspersions on the medical profession, when, according to his own showing, a very great number of physicians, many of whom are the most eminent men in the profession abroad and at home, have warmly espoused his cause. He appeals to works in favour of animal magnetism by Doctors Wienhoft, Treviranus, Hufeland, Gmelin, Kluge, Ennemoser, Passavant, Brandis, Zierman, &c., and others by Professors Kieser, Eschenmayer, Naas, Neesvon, Esenbeck, &c.; also to the testimony of MM. de Puysegur, Tardy de Montravel, Deleuse, Dupotet Bertrand, Roullier, Cloquet, Chardel, Rostau, Georget, Filassier, &c.; and among our English medical practitioners who have avowed their faith in animal magnetism, he refers to Doctors Elliotson, Herbert Mayo, Professor Gregory; and we could ourselves supply him with a catalogue of the names of medical men of less eminence who have become converts—besides those who are canonized in the “*Zoist*,” yet does Mr. Colquhoun turn his back upon these, the very authorities he himself cites as the chief pillars which support, and should induce us to enter, his temple, and accuses the whole profession of being incurably infected with scepticism and infidelity. The charge is an old one brought against us in the days of Chaucer; but it is

* *Isis Revelata*. Vol. i. p. 169.

† *History*. Vol. i., preface, p. 9,—p. 88.

utterly untrue, and we emphatically repudiate it.* The most eminent men of the present generation—ay, and of the past, too, else why does Mr. Colquhoun fall back on the authorities of Hippocrates, Galen, Aratæus, Paracelsus, and Van Helmont?—have always been too much addicted to theorise and speculate upon our spiritual nature. The spirit which suggested the solution of abstract questions among the scholastic philosophers has ever been busy among us; and even young men in the dissecting room become so easily led astray into these fascinating speculations, that our professors are continually called upon to admonish them and bring them back to the strict principle of induction propounded by the Baconian philosophy. All the most eminent physicians of the present age have avowed their adherence to the faith of Christianity, and recognised to the fullest extent the spiritual ascendancy of man. The late Sir Henry Hallford, Mason Good, Abercrombie, Charles Bell, Monroe, Cooper; and among our living physicians, Chambers, Holland, and hundreds of others who hold a distinguished position in the profession—in fact, all the members of the medical profession, are thus far spiritualists in the discharge of their professional duties: they so clearly recognise the distinction and reciprocal action between mind and matter, that not one, we feel assured, would ever prescribe for any patient without duly considering the moral and mental causes which may aggravate, or complicate, the symptoms of the disease. But we are afraid the professors of animal magnetism are an irritable race; perhaps the propounders of all new doctrines become afflicted with what Southey calls “a mimosa sensibility;” they cannot endure the idea of being contradicted, even in their theories, when they have agreed upon their facts; they will not allow any counter opinions even to be thrown into the scale of evidence, and, like Sir Anthony Absolute, abuse every body who differs from them, while they imagine themselves to be in a very cool and equable state of temper. In the very last number of the “*Zoist*” (April, 1852, No. xxxvii.) we find Dr. Elliotson, in some remarks annexed to a very interesting paper by Professor Gregory, on the “Theory of Imagination,” apply the following ungentle language to Sir David Brewster, Professor Forbes, Professor Bennett, Professor Goodson, and Dr. Simpson, whose names, to prevent any mistake, he thus sig-

* Chaucer taxed the faculty with irreligion, in his description of the Physician, given above,—

“Of his diet, measurable was he,
For it was of no superfluitie,
But of great nourishing and digestible.
His study was but little on the bible.”

The late Dr. Millingen, in his “Curiosities of Medical Experience,” cites these lines, and refers to the old adage “*Ubi tres Medici-duo Athei.*” Assuredly this would be held to be a calumny by the physicians of the present age.

nally *taboos*:—"From them no benefit has ever accrued to mesmerism, nor is likely ever to accrue. They are doggedly insensible to its splendid facts; their hearts are hardened, and their intellect thereby stupified" (page 33). Hard words, gentlemen! hard words! and the sooner Dr. Elliotson contrives to subdue these refractory philosophers by mesmerizing them *in distans* the better. Then, again, we find Mr. Colquhoun and Mr. Braid involved in a pleasant little schism—engaged, as the clown in the forest describes to Audrey, upon a cause "seven times removed"—the "counter-check quarrelsome." Unluckily, Mr. Colquhoun somewhat inadvertently accused Mr. Braid of being a materialist, and thereupon Mr. Braid retorts upon Mr. Colquhoun that he has not an orthodox faith in the actual personality and incarnate existence of the devil; wherefore he, in round terms, charges Mr. Colquhoun with not being a true Christian. "*Tantene celestibus iræ?*" All this we conceive to be very absurd. The world at large cares little for the squabbles of men of science; they may sit within the shadow of their own academic groves and blow any soap-bubbles they please, but when they come forward to propound the principles of any theories which are, and always have been, so deeply interesting to all reflecting men, they should not so far detract from what we consider should ever be the self-possessed and true dignity of philosophy. When men lose their temper, they betray their weakness. All we want is to be assured of the existence of *facts* upon which we can build something like a satisfactory and enduring faith.

We regret we have not space to pursue this subject—which is sufficiently enticing—further. We conceive that the scientific world is indebted to Mr. Colquhoun for his attempting to pioneer us through these perplexing mysteries; even those who dissent from him, and are opposed to his views, will not rise from the perusal of the "*Isis Revelata*," and "*The History of Magic, Witchcraft, and Animal Magnetism*," without having derived a vast amount of information. But, we repeat, the whole subject is involved in much obscurity and difficulty; and, as we commenced by citing a passage from the Rev. Sidney Smith's "*Elementary Sketches of Moral Philosophy*," so shall we conclude by subjoining another extract, which needs no comment, from these very spirited and charming lectures. In alluding to the department of metaphysics, which comprehends psychological science, he observes: "If there be a real foundation for this science—if observation can do anything, and has not done all—there is room for hope and reason for exertion. The extravagances (alluding to the Berkleian theory, the non-existence of matter; but the remark applies particularly to animal magnetism)—the extravagances by which it has been

disfigured ought to warn us of the difficulty, without leading us to despair. To say there is no path, because we have often got into the wrong path, puts an end to all other knowledge as well as this. The truth is, it fares worse with this science than with many others, because its errors and extravagances are comprehended by so many.*

ART. IV.—ON MENTAL PHYSIOLOGY.†

THESE chapters embrace the psychological portion of Dr. Holland's former able work, "Medical Notes and Reflections." We quote a passage from its preface, to indicate the value which the learned author places on the subject to which our journal is devoted:—"Scarcely can we name a morbid affection of the body in which some feeling or function of mind is not concurrently engaged. No physician can rightly fulfil his duties without an adequate knowledge of, and constant regard to, these important relations." It is refreshing to the mind to take up these pages of a philosopher in his unprejudiced pursuit of truth, after having been compelled to travel over, and, alas, to wade through, the pages of so many who have, in their course, blinded their eyes even to the facts around them, if opposed to their own notions; or who have precipitately formed crude deductions, and endeavoured to frame a gigantic theory on a foundation which is scarcely firm enough to support the most fragile hypothesis.

Convinced that it is our duty to proceed firmly in that course, which in the climax of its study may tend to render the term metaphysics a misnomer, we have ever, without any fear of the hackneyed stigma of materialism, regarded the investigation of the physio-pathology of the brain as the essence of psychological study, not by any shallow conclusions, *pro* or *con*, on popular prejudice or proselytism, but by a careful association of cerebral symptomatology with mental phenomena. That there are many things yet undreamed of in our philosophy must be admitted, and we must so far fail in our duty, even as the physicians of the body, when we blink or disregard psychal derangement, so often but a symptom of corporeal disease.

This must be done, however, without caprice or bigotry. We must accept every new and *proved* fact, and measure or explain it on the acknowledged principles of science; "separate," in Dr. Holland's own words, "what is known from that which is unknown—what is capable

* Elementary Sketches. *Op. cit.* Lecture i. p. 5.

† Chapters on Mental Physiology. By Henry Holland, M.D., F.R.S. London: 1852.

of being reached by the human understanding from that which is presumably unattainable by it." Thus restrained in our especial study, we are satisfied that we are progressing in the only path to the temple of truth.

With these sentiments, we at once recognise the importance of the first chapter, on medical evidence, especially in reference to the effect of remedy.

The idiosyncrasy of the mind, as well as that of the body, is as multiform as feature or shape; so, even the *truthful* evidence of one physician regarding his own favourite remedy, perhaps precipitately advanced from isolated cases, becomes a stumblingblock to the profession: *vide* the history of tar-water, digitalis, cubebs, iodine, &c. In the study of psychology this equally obtains, for insanity has its multiform phases; and even though the proximate cause or structural condition may be similar, its exciting causes are so various, and its sympathies so intricate, as to require equally patient study and discrimination regarding the principles of its treatment. Of the valuable hints and precepts of Dr. Holland, we may especially note those on the *jumble* and discrepancy of our medical nomenclature. In discussion, especially, a protracted war of words is often carried on upon one misapplied term; and when the strife is over, the subject is, of course, just as perplexing as ever, the combatants discovering that they have really been talking about two different things.

And this is aggravated by the prevailing fashions in medicine; as Dr. Holland says, "terms have descended to us which we can hardly put aside, maxims which fetter the understanding, and methods of classification which prevent the better suggestions of a sound experience."

Regarding our own pages, we have ever adopted the course here enjoined, of never rejecting what is new or strange, because it *is* new and strange. In proof of this we may refer to our criticisms on Reichenbach, and Mayo, and Crowe, and to our own original papers on psychal phenomena.

The faculty of attention, to which Dr. Holland refers, is one of the most important attributes of human intellect. The high degrees of its power constitute indeed the strong and energetic mind, and its physiology and pathology are often marked in the same individual. The concentration of the mind on one point, which has worked out some of the most abstruse problems, and the most marvellous works, may, by over-indulgence, become morbid abstraction or absence of mind, and the subject of very unmerciful satire: and if Sir Isaac Newton formed his brilliant theories from simple facts by "always thinking unto them," he was, it is said, from the same abstraction, guilty of very

eccentric and even ridiculous behaviour. Indeed, *insanity* is not an infrequent consequence of the long continuance or excess of attention, which, like connate imbecility, cannot be fixed to a point. Consciousness is, indeed, for a time lost, as in the cases of Parmegiano and Archimedes, and the most strange illusions may also thus arise in the mind.

This principle of concentration is the grand secret of all the popular phenomena of the day, and it is almost the duty of the psychologist to develop this principle, so that the popular mind and purse may cease to be gulled and plucked. Whether this attention, or, as Dr. Holland would call it, direction of consciousness, or, as we have termed it, concentration of thought, be voluntary or reflex, as well as the nature of its intimate association with the phenomena of the day—all this is yet only on the threshold of development. It is this power of mental concentration on one point, which conferred on Archimedes, and Watt, and Smeaton, and Telford, and Stephenson, that wondrous power of working out and adapting mechanical forces to their will; and it is this concentration on another point which enables many to ward off an evil, or to endure torture with almost superhuman courage. It is the *involuntary* or reflex influence of concentration, which excites the feats of fragile girls during the convulsive epidemics.

We have known, also, deep and fixed thought on one absorbing subject control or even obviate sea-sickness.

This concentration of the attention on one sense, will thus exalt and extend its power, but at the expense of the other senses. This is the rationale of community or transference of senses.

It is clear, from these reflections, of how much importance is the study of the influence of mind on body. As it *induces* disease by concentration, it may, when properly studied, prove of great remedial benefit, as in the cases of the Hohenlöhe *miracles*. Concentration of attention on the heart may instantly induce increased action, and, as in the case of Colonel Townsend, diminished action, even to a fatal extent. The principle will in the end, we think, be brought to bear as an important therapeutic agent.

Even concentrated thought on the intestinal canal will, as we have ourselves known, at once induce peristaltic action; and we are constantly aware how the contractions of the bladder obey the same influence. The thought, as well as the sight, of a savoury dish will directly excite the salivary glands to pour forth their fluid. The fixing of the thought will also induce disorder: the spasm of cramp may so be renewed after a contraction has ceased for a time.

There are some curious cases in which muscular action seems to

depend on attention; for when it has been for an instant diverted, an article has immediately dropped from the hand. And this may even form one mode of the fulfilment of a prophecy.

Dr. Holland's reflections on that especial faculty so peculiar to man, the power of thinking of our thoughts, are interesting. We refer to "The influence of attention directed inwards upon those images or repetitions of objects of sense, which, even in the waking state, are perpetually generated within the sensorium, independently of all direct impressions from without, though often immediately consequent upon them."

Dr. Holland very candidly discusses the association of attention with the favourite phenomena of the day. We have, however, in the course of our labours, so fully discussed the subjects and effects of passes and odyle forces, the *virga divinatoria*, and other psychal novelties, that we can only refer our readers to the acute reasonings in our author's pages, in which the true balance is drawn between the material effects of magnetic force and the mere results of psychal influence—between the voluntary and automatic powers,—and to the many passages which, with the author's lucid phraseology, so constantly point out and explain the *cui bono* of what profane sceptics would call the imperfections of our nature; thus "vindicating the ways of God with man." The eccentricities which with the multitude constitute a complete puzzle, are thus clearly referred to: "In many remarkable cases the ordinary perceptions from the senses are wholly disturbed and perverted by the condition of the sensorium receiving them. Muscular motions occur from other causes than volition; and past images and memories rise up unbidden to perplex both sensations and acts by mingling with them, without control or direction of the rational will." Our own constant reflections (and Dr. Holland evidently coincides) convince us that the essence of mesmerism is in the body of the patient, and not in that of the operator: that is, the predisposing is of more account than the exciting cause, however essential the latter may be. The phenomena may, indeed, be brought out by many other modes than passes and touching, especially where there are weak or sensitive points. "A singular case is that of an expected impression on some part of the body producing, before actually made, sympathetic sensations or movement in other parts which are wont to be affected by such impressions." For the odyle force, Reichenbach chiefly selected females under 30, and all affected by some abnormal nervous condition. These females, we believe, are especially prone to deception, and there are few psychologists who will not at once recognise those to whom Dr. Holland refers, in Lord Bacon's words: "Delight in deceiving and aptness to be deceived,

imposture and credulity, although they appear to be of a diverse nature, yet certainly they do for the most part concur."

The principle of consciousness—the feeling that *we are*—ah! who can answer the question of Dr. Holland? Who will ever fathom the mystery? Descartes, Berkeley, Locke, Hume, Priestley, Paley, all would look different ways to find it; and at last some vulgar Pyrrho might, with a "we wish you may get it," confute them all—not on the *truth* of personal existence, but because they could not find or prove it. Let us take Descartes. His *ego*—the *I-ness* or *ichkeit* of the Germans—is but a shallow definition of this principle. We are conscious we are, because we think—a notion, by the way, previously put by Milton into Adam's thought, "That I am I know, because I think." But the very *ego*, the thing that thinks, must have a prior existence; therefore, thinking is not the essence, although it may be the proof, of being. We quite agree with Dr. Holland that consciousness is a succession, and not simultaneousness. We believe that the slightest thought is an action: two, of course, cannot exist at the same time in the same part. It would be curious to *pit* this hypothesis of succession with one brain and the synchronous antagonism of the two brains of Wigan together; but we must, at least, defer it. There seems a constant antagonism between mental and physical consciousness, and intellect seems to hang on our power of making the former predominate. The idiot, when he is conscious, is only physically so; the perception exists, but it vanishes when the excitant is withdrawn.

This question of mental consciousness is of real consequence in psychology, as the method of arrangement of perceptions is at the root of all, constituting the varied degrees of intellect, from the idiot to the philosopher. So Cicero: "*Magni est ingenii revocare mentem a sensibus, et cogitationem a consuetudine revocare.*" And we might quote Samuel Johnson at Iona, were not his fine sentence as common as household words.

On this point of antagonism of will and senses Dr. Holland reasons with perspicuity, from whence we might, if we had space, found some very salutary precepts for the self-government of the mind, which might at once answer Dr. Holland's query.

Time Dr. Holland deems of much importance as an element in psychical studies, in regard to sanity, or health, or integrity of mind. We might contrast the closeness with which a question is answered, not only on recovery from adynamic or comatose states, but also in the early stages of typhus (the delirium of which so much resembles a dream), with those dreams in which a myriad of years is gone over in a few seconds—the one arising from inaptitude of perception or con-

sciousness; the other from that exalted or concentrated condition of brain analogous to eccentric and almost preternatural muscular actions.

Dr. Holland's opinion coincides with that of Locke, that at one time the mind is in a *boggle*, and requires spurring; at others, it presses on like a war-horse, and cannot be held in. Walter Scott acted consciously on this principle of varied states and capacities of mind *quoad* time, when he was wont, after *trying* to recollect or compose in vain, to sleep on it, and it would all come in the morning; or when, to use his own graphic term, he had "*a fit of the devers*." The misty brain, we may be sure, is known to all authors; even Milton was occasionally subject to it; while, at other times, "the unpremeditated verse flowed like an inspiration."

Probably not only the loss of memory in the senile brain, but also that of the incubation stage of insanity, may be thus explained: that is, ere the sluggish mind is conscious of a perception, or a question, so as to set about answering it, another idea or suggestion is forced on it, and thus, time being, as it were, called, the first idea is erased, and the answer does not come to the scratch. Some intellectual minds are thus set a wool-gathering. When John Kemble had indulged in free libations, his perceptions took so long a time to germinate that he often burst into laughter at a joke long after it was uttered, and when, perhaps, the topic then on the *tapis* was a death or a funeral.

We have already fully analyzed the oblivion of sleep, the irrationality of the dream of slumber, and its extreme and persistent prototype, insanity. If not, we might perhaps differ with Dr. Holland and Aristotle regarding the period of sleep at which dreams arise, and express our coincidence with Lord Brougham and the author of the "*Philosophy of Mystery*," that it is the *transition* state. The truth is evidenced by a host of anecdotes related by common dreamers, who were not anxious to prove a position.

We must, however, pass over this chapter, merely alluding to a seeming paradox in page 93: "Some dreams are well remembered, others *not at all*." How do we positively know they occurred, if not remembered? No one but the slumberer can decide this.

And what is a dream. This is Bichat's definition:—"Ils ne sont autre chose qu'une portion de la vie animale échappée de l'engourdissement où l'autre portion est plongée." Now no one can deny the plausibility—the truth(?) of this want of balance, or its importance in our study. This *metaphysical* cause, however, leads to no practical result. The vital question seems to be how far the blood, or the nerve, or cerebral *disorganization*, is involved in the states of dreaming and insanity. Dr. Holland refers very acutely to this subject; but,

again, we have in many papers so amply discussed it, especially in the comparative importance of blood and nerve, that we must pass by this chapter also, which, according to Dr. Holland's distaste for conjecture, is chiefly bearing on the *difficulties* of the discussion. We may just surmise, that undue *determination* of blood, and of the nervous or sensorial power, have probably about an equal share in many cases. The only allusion we make is to one special exciting cause of insanity, the protraction or excess of reflection; or, as Dr. Holland writes, "the concentration of the consciousness too long continued upon its own functions." The proneness of deep thinkers to ultimate derangement is unhappily not rare; and it is probable that the result is depending on a certain predisposition, which itself may be owing to a peculiar texture of brain or nerve. The firm brain will bear it, and find it but little effort; the softer brain will yield, for the act is *exertion*; always attended, we believe from the beginning, with varied degrees of crethiasm or excitement.

The pathology of memory ("the reproduction of a perception" of Spurzheim) is of the deepest interest; the faculty, indeed, being constantly exerted by us, even between a question and its immediate(?) answer. There is, in truth there must be, a lapse of time, and, ere we respond, we recollect the question, or we could not answer: of course, therefore, all thought must be memory. Dr. Holland cites some interesting cases of the loss of memory; among them, that of Messala Corvinus, as forgetting his own name; and we might refer to parallel cases of J. W. Von B., &c. &c. Another person lost the memory of words only; events and persons were still remembered. Another patient, on convalescence, constantly substituted one pronoun for another. A third, during his delirium, spoke only in French, a language he had ceased to converse in for thirty years. Priestley, Scott, Porson, and many others of high talent, might also be cited as examples. Many of these cases are paralytics. The pages of our journal, especially in the second volume, and some standard works to which we can refer, abound with these curious records. We cannot agree with Thomas Brown, that voluntary memory or recollection is a mere *suggestion*; if so, it must be from a man to himself: he dictates, when he says, "*let me recollect.*" Memory is a suggestion; and he says, "*I do remember.*" Gall is a little more precise: "Remembrance is the faculty of recollecting that we have perceived impressions; and memory the recollection of the impressions themselves." The *suspension* of memory is one of the most mysterious of mnemonic phenomena; as if, after the intoxication of Lethe, we had corrected it by quaffing copiously of the fountain of Mnemosyne.

Accident, as concussion, or disease, often produces this abeyance, the mind being a mere *tabula rasa*, until, in a moment, when the oppression is removed, thought recurs at once to the point of time when the accident occurred. A rider who has been thrown, will lie in coma even for ten or twelve days, or more, and then directly he comes out of the stupor, will exclaim, "Put the horse in the stable." But we might fill a volume with these anecdotes.

Memory being the essence of all *healthy* thought, its derangement is of course one constant symptom of insanity. But were we to comment on it here, we must of necessity only quote ourselves. Dr. Holland has hinted that "defect of memory may be the primary disease, and insanity its consequence." We have, however, always taken the loss of memory as one prominent sign of disorder of its organ. Returning memory, as the sequela of convalescence, proves this to be the case. And again, the recurrence of certain morbid states of the brain *reproducing* the same distorted image in a patient who had, during the healthy interval, entirely forgotten the illusion, illustrates the intimate dependence of memory on structure.

We cannot attempt to explain that which Dr. Holland waives—the exact mode by which an eidolon is impressed on the brain, or how it can be re-excited. Locke, we remark, asks this question, Whether the temper of the brain makes this difference, in some it being like marble, in others like sand? Haller does not blink the question; and Dr. Hook, one of the first Royal Society Fellows, decides *how many hundred* ideas can be made or retained in one day! It is, however, most probable that *impression* is the proper word, as children retain more than adults. Yet is it also true, that one idea or thought out of so many thousands must displace another, either *confusing* or *dispersing* the rest.

We agree with Dr. Holland, however, on the importance of the study of the varied power of memory in different persons, regarding the system of its *education*. The encouragement of *natural* precocity may often be attended by the same prejudicial effect as the taxing of the memory of children unduly. The constitutional power of the mind, like that of the body, is very varied; and memory, one of the functions(?) of that mind, as well as any physical or clearly organic function, must not be overstrained, or it will of necessity suffer.

Getting by heart is to a degree salutary; but if strained, it becomes a sort of parrot learning—very specious perhaps, but it is anything but wisdom. The preceptor, then, should be the physician of the mind, and as watchful as he of the body.

There are, it is true, statements of very extraordinary memories

recorded, especially in Sir Alexander Crichton's "Inquiry," and in the "Philosophy of Mystery," &c.; but common powers must not aim at this, or the fable of the bull and the frog may be realized.

Dr. Holland glances at two instances of almost imbecility induced by this over-action; and we should not hazard much if we concluded that varied degrees of ramollissement were the cerebral conditions thus induced. This, we believe, is the gist of Dr. Holland's remarks in page 159 of his work, although he does not quite approve of the word.

Less severe impairment of the memory may, however, be the result of very common causes: a glass of wine may thus restore a failing memory, "so suddenly," as Dr. Holland writes, "as to show that the want of due excitement to the circulation was the cause of the failure."

Thus also in fevers, and all disorders marked by adynamia.

Dr. Holland confesses we have no specific, no mnemosynè for the restoration of fading memory. The only mode must be, to direct remedy to that organic point, of the derangement of which the defect of memory is but a symptom. Restore *completely* the brain, and memory would be sure to return. We refer our readers to the judicious precepts proposed by Dr. Holland as remedial. The effort of recollection will often fail when spontaneous memory succeeds. "A line," Dr. Holland remarks, "laboriously and vainly sought for, will often flash upon the mind when the search has been discontinued." And this seems a curious analogy to the visibility of a small star, when we look *merely at its vicinity*.

Dr. Holland and the late Dr. Wigan (who dedicated his book to him) differ widely on the physiology of brain. Doubleness and duality are very opposite things. Wigan argued that the two minds might antagonize each other—both, in fact, thinking of different subjects *simultaneously*. Dr. Holland's arguments regard succession—a matter of time—the brain thinking on different subjects only at *different* periods: and as it is a *unity*, the two hemispheres are coinciding with each other through the medium of their commissures.

The question is curious, how closely towards duality, division, disease, or absence of these commissures would tend.

Even in alluding to the disturbance of brain and nerve, and even to idiocy, and also to the curious cases of hemiopia, of which Abernethy and others have been subjects, the question of time still reconciles Dr. Holland to mental unity. Perhaps the *immediate succession* of thought may associate fairly the differences of unity, duality, and plurality of mental organization. In page 184 we have very sensible arguments in favour of unity; but whether the one or the other, there must be

doubtless *two* states of brain, when a person is irresistibly impelled to that which his better nature abhors. The

“Video meliora proboque,
Deteriora sequor,”

and the

“Contra miglior voler, voler mal pagna”

of Dante, are painful records of the victory of Arimanes over the good spirit. The rapidity of thoughts in succeeding or in galloping over each other will explain all this, and also those curious cases of double consciousness in which we seem to be ourselves and others at one and the same time. Of this interesting question phrenology should be but the alphabet or preface. Phrenology, the doctrine of *mind*, is, however, too much mixed up with craniology, the doctrine of the *skull*, to render its minutiae yet available for the psychologist. “Viewed as a whole,” writes Dr. Holland, “it is a sort of especial contradiction to the *principe de la moindre action*, so generally prevailing throughout all parts of the creation; and it is yet further liable to this peculiar objection, that the limitation of the list of organs is hardly more reasonable than its extent,” &c. The mapping of the skull *quoad* quantity and extent merely, without reference to *quality*, must ever be liable to fallacy, although the unravelling and analysis of brains will doubtless develop much of which we are at present ignorant. Dr. Holland refers with some confidence to the researches of Baillarger in 1845. That phrenologists have jumped precipitately to a conclusion is very clear, and, like many other abstruse or interesting sciences, systems, or processes—mesmerism, vaccination, &c., &c.—phrenology yet suffers from the haste of its sanguine professors in their “over early and peremptory reductions into acts methods,” as Lord Bacon writes. In the mass, however, the system is probably true. For the analogy of propensity and instinct, the principle of antagonism of different organs, to the controversion at once of *abstract* phrenology, we refer to Dr. Holland’s calm and philosophic reasoning, merely hinting at the fallacy of the mere cranial topography, when we cannot define the direction of convolutions, *in the course of which*, and not across them, we must locate our propensities and faculties.

The line of demarcation between instinct and reason has been by many deemed indefinite; they have been, indeed, identified: but they have really no analogy. Reason is an intellectual act, and progressive; but as man possesses also instinct, so brutes have in a minor degree a reasoning faculty; but instinct is connate and fixed, a custom or habit, as Dr. Holland properly terms it, and no more mental than is the shrinking of the mimosa, or shutting up of the dionæa, perhaps not far removed from the “*affinité des molécules des cristaux*” of Laplace.

Take instinct then as a sort of inherent vital property, incited by a stimulus, and we may almost reason on it as we would on peristaltic action. We have ever held this to be truth, and therefore coincide in the author's clearly expressed opinions, especially regarding the relative proportions of instinct and reason in man and brute, and also to the inverse perfection of intellect and instinct in the hymenoptera and the hemoptera.

On this point, therefore, we have ever held the hackneyed lines of Pope as a quibble :—

“ And reason raise o'er instinct as you can—
In this 'tis God directs, in that 'tis man.”

If man *does* direct, God has directed man.

There is, therefore, either an inherent law in organization, or a special direction of the creative mind to the organ, for the purpose, which refers an act at once to the Deity, and removes free agency and responsibility. The great and important difference is this: in man reason constantly *controls* instinct; even organic function is fettered by his will. So the powers of resistance are as varied as the temperaments with which they are associated; and we must quote a very luminous passage of our author on this point.

“ In considering this curious question of the relation of human instincts to those of lower animals, a valuable distinction may be derived from looking to their respective development in species and individuals. In other animals instincts are chiefly or entirely those of the species, uniform and permanent; with far less of intelligence in any case to modify or control them, and this, at a certain point, disappearing altogether. In man, they have more of individual character, are far less numerous and definite in relation to the physical conditions of life; more various and extensive in regard to his moral nature; yet still subject, as such, to the control of his intellectual powers. It seems the proper destination of reason, as bestowed by his Creator, to acquire mastery over the instinctive conditions of his nature—to cultivate some, to subdue others, to give due proportion and direction to all.”

Now, this is one of the most important questions in ethics, inasmuch as this perpetual conflict between the light and shade of human nature involves half the questions of the lunacy commissions and of the criminal court.

It is probable that, regarding erotic and furtive and vindictive propensities, the *vince seipsum* is often as difficult as the *nosce seipsum*. If this, however, were ensured, how less than perfect would man become! But, alas! the victory is too often on the dark side; and even if it be not, the climax of the struggle is insanity. Thus, regarding instincts, Dr. Holland writes: “ They modify, often control or compel, the whole

course of life. In some cases, they are felt as opposed to the reason of the individual, yet dominant over it; in extreme cases they become a sort of madness, by opposition to the reason of the species."

The indications of emotion and the changes of the expression of feeling and passion in different stages of life, involve a curious inquiry, especially as to their being a sort of safety-valve to the system. They—*i. e.*, tears, sighing, even violent efforts, &c.—are doubtless prophylactic in warding off those effects upon organization which might lead to peril or even fatality. They are also a complete study: they are not so explanatory as Le Brun has depicted them, and they are not exactly uniform in every one; still have they a sort of general likeness.

Regarding the earliest instinct, suckling, we may perhaps somewhat differ from the learned author, in deeming it a reflex action. The mother may generally first apply the nipple to the infant's lip, but the lamb certainly rushes at once to the udder of the ewe. Both must be governed by the same law. If the proof of contact always preceded these acts, the reflex theory of Hall would at once untie the Gordian knot. Some instincts are produced, doubtless, by the cerebro-spinal system; but animals who possess it not have instincts highly developed. Even the experiments of Huber and Latreille, to which Dr. Holland refers, still leave the mind unsatisfied. Development or loss of nerves may perhaps in the end decide it. The transmission of habits, mental and bodily, through a succession of races, is another subtle question. It is, of course, possible that certain conditions of nervous or vascular influence may become hereditary, so as to modify the peculiarities of whole communities and races in the course of time (as in the domestication of animals), so that the constitution of mind may "become hereditary by propagation." It is, indeed, an acquired or second nature. In proof of this, Dr. Holland refers to hereditary monstrosity, and inclines to the belief of some structural constitution or quality. In the case of brute animals, we cannot believe in the working of mental impression or propagation, notwithstanding the incident of Laban's sheep: but in the cases of monstrosity it may be that the brooding over an unnatural state of one member of a family may, in the pregnant mother, induce a sort of uterine erethism in several successive generations; while the potent influence of imitation in the transmission of peculiarities and eccentricities is a truth constantly before us.

The nervous system—what a deep and intricate study! what a mine of physiological riches yet unexplored, after the myriad of disquisitions, from Aristotle even to our own day! Its influence is universal—the source of our perceptions, our consciousness, our reflections, pleasure, pain, and sympathies. Dr. Holland shrewdly foresees the

difficulty of ascertaining the nature or mode of this influence. The opinion that sensation and volition simply depend on centripetal and centrifugal nervous action; the varied phenomena, as secretion, volition, reflex action, &c., brought out in different tissues by the same apparent nervous causes; and the functions of organic life,—are referred to as proofs of this. But still the learned author looks the question fairly in the face, if he has not decided on the nature or *matériel* of nervous influence, whether a subtile fluid, an electric aura, or “some superior and independent principle, of which, however designated, the brain is the immediate source or seat.” But the recognition even of this principle, as well as the new sense of the Germans, *selbstgefühl*, and even the grand philosopher’s stone of physiology—the vital principle—would, probably, even if demonstrated, leave neurology somewhere about where we left it. The theologian and the physiologist being still at issue, the theory of vitality—the breath of life—the living soul—the quickening spirit—*νοῦς*—*θυμός*—*ψυχή*, and other Greek terms, will still all be bandied about, like battledore and shuttlecock, between the combatants, even as the vital principle was in the arena of the College of Surgeons, between two learned professors, in days not long ago. It has ever seemed to us that the analysis of spontaneous generation, or parthenogenesis, of the lower vitalities, indicates the simplicity of a principle which becomes complex, and indeed confused, in proportion as organization, of which it is the moving power, becomes more intricate or combined. We know not which it is that in old age wears out, according to its law, the principle or the organization, any more than we know whether nervous power influences the germ, and expands with it, or if it be *generated* by the nerve in the progress of its growth. We do know, however, that, as the nervous system is multiplied or expanded, the phenomena are themselves extended or refined. The minute anatomy of Ehrenberg, the ingenious though somewhat fanciful notions of Alison, and the host of modern English physiologists even now prosecuting their labours, added to the deductions of deep thinkers like our author, will continue to throw fresh light on the corridors and chambers of science, even if they do not illumine the very *sanctum sanctorum* of the temple.

How far the hemispherical ganglion and the tubular neurine are concerned in the generation and transmission of psychal phenomena, is of the extremest importance to our subject. But perhaps the most important matter of all is, the intimate relation which anatomy discovers between nerve and blood-vessel, which, indeed, involves all the mysteries and discrepancies of psychology. The lens can never ultimately divide that which is infinitely divisible; but as this applies as well to one as

to the other, we may still discover very much as to their dominant or prevailing influence in psychology, and perhaps thus ascertain many truths regarding the *primal impingement* of malaria.

Dr. Holland, perhaps wisely, leaves this deep question with a passing glance at its importance, and proceeds to a general view of the three grand divisions of the nervous system—viz., the cerebrum and cerebellum, the cerebro-spinal axis, and the sympathetic. The cerebro-spinal, the tract between brain and body, will, we conjecture, be the great Californian field whence the gold dust of psycho-physiology will be, for the present, gathered; especially regarding remote sympathies, one curious instance of which was noticed by Bernard, of diabetes induced by injury to this part.

Dr. Holland believes that "memory and association are more closely related to the cerebral hemispheres than any other attributes of mind." The unravelling of the cerebral convolutions, he thinks, "detaches mind itself from all material organization." It resembles, we suppose, a peep behind the curtain, which dispels the illusion of the scenic representations. The contradiction, by *post-mortem* evidence, of the received hypothesis, especially regarding the function of the cerebellum as an organ of sexual impulse, or a regulator of muscular movements, imperatively requires strict investigation. This, and the physiology of the sympathetic system, Dr. Holland terms a *terra incognita*. We confess we have little hope of soon rendering the circulation of nervous fluid as plain as that of the blood. In the mean time, innervation exhibits so many analogies to electric forces, that our minutest attention should be paid to the resemblance. Dr. Holland almost describes this analogy when he writes of "a power originating within the system, and transmitted, *progressively*, along the course of the nerves, to fulfil its functions in the several parts of the body to which they conduct."

We have, like Dr. Holland, seen several cases in which there is a general "deficient evolution of nervous power." He refers to two or three cases of his own; and we may allude, also, to the case of Cowper. All these are, however, but extremes of what daily occurs. In the senses also, in prejudices or antipathies; in the collapse consequent to surgical operation, or shock; in the slumber between the pangs of lingering labour; and in the criminal on the night before his execution, we see this enervation, arising from the exhaustion either of excess of sensibility or of suffering.

The curious effects of chloroform have seemed to us illustrations of this rapid exhaustion, rather than of direct anodyne influence. In most cases (and we have seen one in a boy on the day we are writing this), the first influence is excitement, somewhat like that from nitrous

oxide inhalation; it may even amount to convulsive action, and then speedily comes on the collapse both of sensory and motive power; indeed, a state of trance.

This bears Dr. Holland out in his notion of *quantity* in reference to innervation, not only in defect but also in excess, as in the irresistible and almost supernatural and disproportionate spasmodic actions, in which it is, indeed, often perilous suddenly to close this safety-valve of the system.

This subject of innervation strikes, also, deeply at the root of insanity; and we are pleased to observe the coincidence of the author with our recorded opinions. The allusions to excess, defect, intensity, quality, and time, evince his close and prudent reasoning.

Then comes the popular question—which again we have prejudged, especially in our review of Catherine Crowe.

On the *intercommunication* of nervous influence, some will persist in saying, if not in believing, consist the truths of mesmerism and electro-biology. We think (and Dr. Holland evidently thinks so too) that, notwithstanding the experiments of Reymond in inducing deviations of the needle by muscular action, there is no necessity for this *projectile* faculty of mind or nervous power, or of the blue fluid of Dupotet, for the explanation of the phenomena: indeed, one *self-made* experiment in electro-biology would, we think, settle the question.

It will be seen how much of Dr. Holland's volume is taken up in referring to the difficulties of his subject. So much simplicity and beauty, however, are displayed in his reasoning, that we almost regret the guarded opinions and reluctance to form conclusions which ever mark the writings of a true philosopher. So, while the book raises, throughout, our admiration of its purity, and indeed of its humility, it makes us the more confess, with Socrates, and (may we say?) Dr. Holland, that all our knowledge consists in our knowing that we know nothing.

ART. V.—STATE OF LUNACY IN ENGLAND.*

THE Annual Reports of the Commissioners in Lunacy are always looked forward to with interest by all persons engaged in this department of our profession, inasmuch as they lay before us an official and authentic account of the existing state of lunacy and lunatic asylums throughout

* The Sixth Annual Report of the Commissioners in Lunacy to the Lord Chancellor. Pursuant to Act 8 and 9 Vic., cap. 100, sect. 88. Ordered by the House of Commons to be printed, 8th August, 1851.

England and Wales, and they record the history of their progressive improvement under the suggestions which the commissioners, from time to time, find it expedient to make. The sixth of these reports is now before us. It sets out with giving the statistical return of insane persons confined in asylums, hospitals, and licensed houses on the 1st of January, 1851, by which the aggregate number of private and pauper patients appears to have been—males, 7843; females, 8613; total lunatics, 16,456. The changes in the licensed houses in the metropolitan district were not, during the year 1850-51, very numerous, and require no special notice. The most important feature in the history of asylums during the year was the opening of two additional county asylums for the large and populous county of Lancashire—Rainhill and Prestwich asylums; the former capable of accommodating from 380 to 400 patients, the latter constructed for 450; but both these asylums may, with some slight alteration, be rendered capable of accommodating more, so that between Lancaster, Rainhill, and Prestwich, ample provision is made for many years to come for the lunatic poor of Lancashire. The result is, that the justices of the county will no longer grant any private house a licence for pauper patients, which we consider, for reasons we shall presently advert to, a very proper decision. The visiting commissioners report very favourably of the condition and arrangements made in these two new asylums—Rainhill and Prestwich. The medical superintendent of the former, we may observe in passing, is Mr. Thomas Eccleston, and of the latter Dr. Holland. In several counties—Lincoln, Bucks, Hants, Essex, &c., new asylums are in progress, and the commissioners recommend the transfer of all pauper patients, with as little delay as possible, from licensed houses to public establishments, and state that they have intimated to the proprietors of such private asylums their determination not to renew their licences for so large a number as they have hitherto done. The total number of private patients confined in asylums, hospitals, licensed houses, &c., on the 1st of January, 1851, was 4397, and the total number of paupers in asylums, registered hospitals, and licensed houses at the same date was 12,059. By the third annual report of the Poor Law Board we learn that the number of persons returned as lunatics, insane persons, and idiots, resident in the workhouses of 595 unions and of single parishes under boards of guardians in England and Wales, was, on the 1st of January, 1851, 5029. It is clear that as cases will increase with the increase of population, provision should be made as speedily as possible for the accommodation of these poor persons. It is indeed lamentable to think that so many are still domiciled in workhouses, where it is impossible they can receive proper medical and moral

treatment. When the asylums referred to in this report as being in progress are completed, we are informed that the total number of pauper patients for whom accommodation will have been provided in county and borough asylums will be 13,929. This is so far, therefore, very satisfactory; indeed the history of lunatic asylums, as contained in the collective reports of the commissioners, sufficiently evinces continued progression. In the above estimate no account is taken of the Northampton Hospital—a voluntary institution, managed under the direction of the leading nobility, clergy, magistrates, and gentry of the county—which provides accommodation for nearly 200 paupers. On the 1st of January, 1851, this hospital contained 192 patients. The vigilance of the commissioners, and their determination to administer firmly and conscientiously the powers with which they have been invested in order to carry into effect the object contemplated by the legislature in passing the act 8 and 9 Vict., cap. 100, is sufficiently evinced by their exercising their power of insisting upon asylums being built in those cities and boroughs in which they are really required. Through their intervention, the authorities of the City of London have found themselves called upon to provide an asylum for the pauper lunatics chargeable to the several parishes within the jurisdiction of the City, and the matter is at this moment in the hands of a special committee. Among the different county and provincial asylums referred to in the report, the Manchester Royal Lunatic Asylum at Cheadle seems to demand some observation, inasmuch as the principle upon which it is founded clearly enough militates against the doctrine laid down by the commissioners themselves—viz., that private and pauper patients should be provided for in separate establishments—the one in licensed houses, the other in county asylums. Here, however, both private and pauper patients are domiciled under the same roof; and all medical men are well aware that the relations and friends of patients in the middle classes of society entertain a strong prejudice against sending them to an asylum where paupers are admitted. When this report was drawn up, this house at Cheadle, calculated to hold from 80 to 100 patients, contained only 22 private patients, and *one* pauper: total, 23. This asylum, it should be observed, is an offshoot, or branch of the Royal Infirmary at Manchester, and attended by all the inconvenience arising from its being managed by a committee connected with the infirmary, instead of the management being invested in one responsible party. Then, again, private patients are called upon to pay an entry fee, which, strange to say, is divided among the physicians of the infirmary non-resident in the asylum. This carries with it an air of traffic, to which we object. Then, again, a certain amount of payment in advance is

required; and all these details are necessarily submitted to the committee, of which Mr. Harter is chairman. The commissioners in lunacy report favourably of the management of the Cheadle Hospital. With all deference, however, to the commissioners, we object *in limine* to the plan; for experience has abundantly proved that "remunerative patients" should not be constrained to live in a pauper institution, although the separation between the classes be quite perfect.

The commissioners in lunacy next advert to a somewhat curious legal disquisition which has taken place between them and the visiting justices in the county of Gloucester, who, with Mr. Purnell at their head, are indefatigable dabblers in the law of lunacy. We say this, bearing in mind their recent attack on the late Dr. Fox, of Northwood, near Bristol, and some other vexatious proceedings better consigned to the tomb of the Capulets. As this is a subject in which all proprietors and medical superintendents of lunatic asylums must feel interested, we subjoin the commissioners' own account of the decision that has been come to respecting the legal priority of orders of admission and medical certificates:—

"It will be satisfactory to your lordship," they observe, "to know that, in almost all our communications with the justices appointed to act as visitors of the various provincial establishments receiving lunatics, we have received the most ready and active co-operation.

"Some difference of opinion, however, has recently occurred between ourselves and the justices who are the visitors of a certain district in the county of Gloucester, relative to the interpretation of some portions of the existing statutes; the visiting justices holding that the order for the confinement of a lunatic should in every case be signed, and bear date prior to the medical certificates which accompany it. The ground of their opinion was, that in the form of the certificate the order and statement subjoined to it are referred to as 'the accompanying statement and order.'

"As this view of the subject was not only contrary to our own opinion (which had been communicated to the visiting justices of Gloucestershire), but was altogether at variance with the general practice throughout the kingdom, and as it was very desirable that the practice in this respect should be uniform, we submitted statements of the opinions of ourselves and the visiting justices to Secretary Sir George Grey, intimating our desire that he would cause the case to be laid before the law officers of the crown for their opinion. This was accordingly done, and the opinion of the law officers of the crown was found to concur with our own—namely, 'That so long as the provision of the 8 and 9 Vict., c. 100, is enforced, that no keeper of a private asylum shall receive a patient without the order and certificates required by that act, it is immaterial whether the order, in point of time, precede the certificates or the certificates the order.'

"Your lordship is aware that no priority, either as to order or certificates, is expressly required by any of the sections of the statutes now in force. Were any priority desirable, it would be that the medical certificates establishing the insanity of the patient should precede, in point of time, the order which directs his confinement; but it is manifestly for the public convenience that no such priority should be requisite, and it appeared to us that, looking at the words of the various enactments, and the general policy of the law on the subject, all that the legislature required was, that both the order and certificates should be obtained before the patient's admission, and that when complete they should together form one authority justifying the admission and detention of the patient.

"It may be remarked, that the 45th section of the act 8 and 9 Vict. c. 100, which prescribes the forms of the order and certificates (and which does not direct that either the order or the certificates should bear date prior to the other), is qualified in a very important particular by the 47th section of the same act, which enacts that a person may be received upon an order and *one* certificate only, provided such order state the special circumstances which *have prevented the person from being examined* by two medical practitioners; and that by the first section of the act 9 and 10 Vict. c. 84, it is enacted that it shall not be incumbent on a justice, &c., to *sign an order* for the confinement of a patient in all cases where the physician, &c. '*shall have signed the certificate* according to the form of the act,' and that every justice '*before signing the order*' shall satisfy himself as to the propriety of confining the lunatic, unless a certificate '*shall have been signed*' by the medical officer of the lunatic's parish, *as well* as by the physician called in by the justice.

"Now, in order to carry out these two provisions, it is manifestly necessary that one or two certificates (as the case may be), should '*have been*' signed *previously* to the signature of the accompanying order and statement of particulars respectively, and it should be observed, that even in cases to which these provisions apply, the *same form of certificate* (containing the word 'accompanying'), is prescribed to be used by the acts of parliament."—*Report*, pp. 16, 17.

The commissioners in lunacy next briefly advert to the legal proceedings which, during the year, they felt it their duty to institute, and which, in each case, ended in convictions. One of them is of importance, as it involved the question of the admissibility of the evidence of a lunatic against an attendant, indicted at the Central Criminal Court for manslaughter. The case is that of *Re Barnes*, Peckham House. As we have given in a former number of this journal a full report of Mr. Collier's able argument in this case, with the decision of the judges, we do not consider it necessary again to enter into the question. The next point to which the commissioners in this report direct the attention of the legislature, is the establishment of a central asylum for

the reception of criminal lunatics. In their former report, dated 30th June, 1850, they observed,—“the construction of lunatic asylums is so essentially different from that of prisons, that an effectual security against the escape of criminals cannot be provided without restricting the liberty of other patients, with whom they are necessarily associated, and materially interfering with that treatment and general arrangement which ought to be adopted for their benefit. Criminal patients have therefore escaped, and must continue to escape from asylums and houses licensed for the reception of the insane. As an instance of this we mention the fact, which was brought by us specially under the notice of secretary Sir George Grey, that a most active and cunning criminal patient escaped for the fifth time, from Hoxton House, in February last. Our objection applies especially to such lunatics as have been charged with the more heinous offences; and it has been frequently brought under our notice that the friends and relatives of patients, and also the patients themselves when conscious of their being associated with criminal lunatics, have considered such association as a great and unnecessary aggravation of their calamity.” In their present report they again urge the early and special attention of the legislature to this subject. The last subject to which the commissioners in the present report address themselves, is the defective state of the law as affecting the property of lunatics. We have, they remark, “in former reports observed upon the very defective state of the law and its administration, as respects the property and income of lunatics, and the injustice and hardship thereby entailed upon them, their families, and others connected with, or having claims upon, them. Some strong remarks upon this subject are to be found in our ‘further report,’ (1847), page 28, and in our last (fifth) report, page 17, to which we earnestly solicit your lordship’s attention. Frequent communications, with a view to the necessary legislation, have passed between the board and the home office, but we regret to say hitherto without any practical result. To the many persons who have appealed to us, from time to time, for advice and assistance towards the due protection and administration of the property and income of insane persons under certificates, we have only been able to express our regret that the provisions of the present law were inapplicable or inadequate to their professed object, and to hold out a hope that a legislative remedy would be shortly provided. We desire now again to press the subject upon your lordship, as one urgently calling for the earliest consideration and legislation, more especially as respects persons of small means, and also those whose mental malady is probably of a temporary character. It was with a special view to the benefit and protection of these classes

of the insane, that the 95th and following three sections of the Act 8 and 9 Vict. c. 100 were framed; but unfortunately the intentions of the legislature have been in a great measure frustrated, partly in consequence of the limitation of the powers of the receiver, whom the Lord Chancellor is by the Act authorized to appoint, to those of the receiver of the estate of a lunatic found such by inquisition, but principally in consequence of the costs and expenses of the proceedings under the statute being so heavy, and so disproportionate to the limited amount of the property or income to be administered."

"Whilst we have had frequent occasion deeply to regret this state of things, for which, notwithstanding our representations, no remedy has been provided, *we have always refused our sanction to, and strongly discouraged, the transaction of any matters of business, or the execution of deeds or papers relating to property, by persons confined under certificates as insane. We have considered their position incompatible with the due exercise of their powers and rights as independent agents, although possibly they may, in some cases, be mentally capable of forming a correct judgment on the subject of their property, and disposing of the same reasonably and prudently.* In carrying out this principle we have felt and expressed our regret that the law, as now existing and administered, affords no effectual redress for the evils we have to deplore."

The commissioners in lunacy have, over and over again, called the attention of the Government to this most manifest defect in the present law of lunacy, and we are gratified to hear that a bill has been drawn up and submitted to Parliament to remedy the evil by the Earl of Shaftesbury; but we would go perhaps further than the commissioners in lunacy seem prepared to do. Under a commission of lunacy the committee of the person and estate is competent to protect the property of the lunatic in every respect; but, simply under certificate, we do not see why a reasoning lunatic—say a monomaniac, deranged on one point, with his senses clear and unimpaired upon others—should be deprived of any voice in the management of his affairs. We have seen that, by the decision of the judges, the evidence of a lunatic is admissible in a court of justice, where the life even of the accused may be at stake; why should not, under proper surveillance, the signature of a certified lunatic upon a subject he is capable of understanding, reasoning upon, and appreciating, be upon a legal document held valid? The delays created by the incompetency of such persons to sign documents relating to any matters of business, produce the greatest inconvenience and distress in many families; and if, as the commissioners themselves concede, any such persons are "mentally capable of forming a correct judgment on the subject of their property, and disposing of the same reasonably and

prudently," we do not understand why they should be denied the privilege of doing so, whereby, in many minor transactions, the pecuniary resources of the patient would be at command, and enable the friends to provide additional comforts, without incurring the expense, as at present, of a commission in lunacy. The uncertainty which seems now to obscure the political atmosphere—the sudden change of administration, the early dissolution of the House of Commons, and consequent interruption for a few months to all legislation, may for awhile retard the progress of the bill introduced to the Upper House by the Earl of Shaftesbury; but every true philanthropist, and men of all shades of political opinion, will unite in throwing every possible protection round, not only the personal comfort, but the pecuniary interest and property of the afflicted lunatic, which ought to be rendered, at the least possible expense, available for his own advantage, as well as for the benefit of perhaps a dependent and bereaved family.

ART. VI.—PRIVATE AND PUBLIC ASYLUMS.*

WE have before us two works relating to this subject, the one containing suggestions for the improvement of private asylums, the other advocating their entire abolition, and the substitution of public asylums in their place. The questions mooted in these works are of so much importance to the public, as well as to the interests of a large section of the profession, and well-being of the insane, that it was our intention to have entered at length into their consideration; but, upon glancing our critical eye a second time over the essays, we came to the conclusion that the arguments advanced by both authors in support of their respective views were so obviously fallacious, and the suggestions made so evidently impracticable, that we did not consider them entitled to more than a cursory notice. We make these observations with every feeling of respect for Dr. Monro, whom we believe to be an honourably-minded gentleman, *conscientiously* advocating the views developed in his essay. Although, however, he argues in favour of private asylums, and points out, in several portions of his essay, the great advantages which result from their establishment, nevertheless, the inevitable—the irresistible effect of his work will be, to shake public confidence in all private institutions for the treatment of the insane,

* On the Reform in Private Asylums. By H. Monro, M.B., Oxon. 1 vol., 8vo.

On Public Asylums for the Insane of the Middle and Higher Classes. By T. Dickson, L.R.C.S.E. A pamphlet.

and thus do an unconceivable degree of mischief to the cause of humanity. If Dr. Monro does not openly avow his hostility to private asylums, and unconditionally propose their destruction, he does what is tantamount to this, for he suggests such an amount of offensive supervision and control over the medical proprietors and superintendents of all these institutions, that would undoubtedly result in the retirement of every man of independent feeling and character from their management. We maintain, that no gentleman with any respect for himself or the honourable profession to which he is allied, would submit to the sacrifice which Dr. Monro calls upon him to make in order, as he declares, to remove from his shoulders all responsibility. The gist of Dr. H. Monro's views is contained in those portions of his work in which he strongly urges increased supervision, the appointment of an inferior grade of commissioners or inspectors, and monthly instead of quarterly visitation. The object of these suggestions is to remove from the medical superintendent, in difficult cases, all responsibility, and to transfer the *onus* entirely to the commissioners in lunacy. In the first place, if a medical man be deemed qualified to have a licence, and considered fitted to superintend a private institution for the treatment of the insane, surely he ought not to complain of the amount of his responsibility, or wish to place it upon the already too heavily laden backs of those deputed to officially inspect all public and private asylums. If this proposition were made to the board of commissioners, we could have no difficulty in divining what answer would be given. Imagine Dr. Monro, or any other enthusiast, advocating the necessity for a greater increase of supervision, and suggesting that the commissioners should take upon themselves the whole responsibility of discharging patients from private asylums, thus leaving the medical superintendent and proprietor entirely free and unfettered in his opinion, surely the reply to such a proposition would in substance be as follows : " We have granted a licence to a number of gentlemen in whom we repose confidence ;" we have inquired into their character, and ascertained their attainments, and see no reason why they are not as fully qualified as ourselves to decide whether the patients under their immediate care ought or ought not to be retained in the asylum. They are, or are supposed to be, in daily communication with their patients ; to be conversant with the character of each case ; to have the confidence of the family of the invalid ; and, therefore, in a position to form a right conclusion as to the necessity of prolonging the detention or discharging from treatment any given case that may have been the subject of inquiry. We think the medical superintendent of the establishment has no right to shirk the responsibility of his self-imposed

position, and to thrust it upon the commissioners. They are upon all occasions ready to co-operate with the resident medical officer, and willing to aid him, to the best of their judgment, but it would be unjust and unreasonable to expect that the members of the medical profession are to place themselves at the head of private asylums for the treatment of insanity, to derive all the advantages, professional and pecuniary, resulting from such a connexion, to throw themselves into a comfortable arm-chair, consoling themselves with the reflection that they are free from all responsibility; and that, if any question of doubt or difficulty should arise, it is to be settled, and settled only, by the commissioners in lunacy!"

Dr. H. Monro would make the medical superintendent a mere *non-entity*, a *puppet* in the hands of the commissioners, an *automaton*, a *dummy*—in fact, a *SHAM*; for although *nominally* the proprietor and director of his *own* establishment, he is to be virtually powerless and paralyzed, divested of the liberty of thinking and acting in accordance with his own judgment! Whatever may be his *status* in the profession,—his degree of knowledge,—his elevation of character,—his amount of experience—these go for nothing in the estimation of Dr. H. Monro. He is said to hold a licence from the commissioners in lunacy—he is the resident superintendent of his own asylum, and yet is not to be considered qualified to decide as to the state of mind of any of his patients; and can take no step for their liberation, without the sanction of the commission in lunacy!

Dr. Monro says that his suggestion "is to make the commissioners and other public inspectors as responsible as possible for the conduct of private lunatic asylums—to remove all civil responsibilities from medical proprietors, as much as may be, and to leave them, what is quite sufficient, alone the medical care and the charge of carrying out the details of the economy of the house." Again, our author urges as a reason for thus wishing the medical officer to shuffle out of the responsibility of *taking care of his own patients* (for in reality it amounts to this), that the "responsibility (of the medical superintendent) is, on certain occasions, *intolerable*." Did it not occur to Dr. Monro that the said responsibility might prove as "intolerable" to the commissioners or sub-inspectors as to the medical superintendent himself?

The questions of difficulty which, according to Dr. Monro, occur, and for the solution of which he suggests that the commissioners should be appealed to, are, whether "a *partially insane person, who is legally sent to an asylum, should be retained or not?—should a convalescent patient, about whose continued residence there is much cause for doubt, be discharged or not?*" We have no hesitation in saying, if the medical superintendent be not competent *himself* to answer satisfactorily these

simple interrogatories, and *honest* enough to give a disinterested opinion of the matter, the sooner he is deprived of his licence the better it will be for the interest of his patients and well-being of society. Dr. H. Monro really cannot expect that the large body of respectable physicians connected with private asylums would thus consent to write themselves down asses, and quietly and tamely submit to the degradation to which he would reduce them.

"It has been urged that the position in which I would place the officers of private asylums would be one of such subordination, and subject to such surveillance, as would render it most disagreeable to many honourable minds (most undoubtedly). I would ask such disputants whether of the twain is the most disagreeable to the feelings of a gentleman—to be acting under subjection to competent authority, and freed from liability to suspicions and charges, or to be independent, and in consequence subject to aspersions and suspicions of a most unwarrantable nature?"

Every man of proper feeling, conscious of rectitude of purpose, and feeling his *own* strength, would not hesitate in exclaiming, "Give me independence of action, and I will willingly brave the 'aspersions' and 'suspicions' to which it is said I expose myself." Again, Dr. Monro observes:—

"The changes which I suggest would drive the proprietor and medical officer somewhat into the condition of a government official—subject certainly to superior or general officers, but very far from incurring odium or degradation on that account. What would be lost in independence would, in my opinion, be more than compensated for by a position of greater credit."

Dr. Monro observes, "I have no doubt of the propriety of an asylum for a *complete maniac*." "Complete maniac!" what does he mean? According to our experience, there is less hazard to the insane and to society from what Dr. Monro terms a "complete maniac," than from those cases of insanity where the morbid impressions are not so obviously and palpably manifested. "Complete maniac!"—why, every case of insanity is "complete" of its kind. The man who raves "from morn to night" incoherently is a "complete maniac;" he who designates himself, although sane upon all other points, to be "the Son of God," is a "complete maniac;" he who says that one leg is his own and the other *Madame Vestris's*, is completely insane: therefore we must confess our inability to see the distinction which Dr. Monro draws between the class he designates as "complete" and other forms of disturbed mind.

The only argument that may be urged by others in favour of Dr. Monro's views, is, that unhappily the present race of medical superintendents and proprietors of private asylums are a "*degraded, unprin-*

cipld, dishonest, and rapacious body of men." Such being, in the estimation of such low-mouthed slanderers, the lamentable fact, Dr. Monro, in his intense regard for the interests of the public, proposes that their functions should be restricted to the medical treatment of their patients; and that they should, so far as the discharge and detention of those entrusted to their care are concerned, be entirely at the mercy of the sub-inspectors who may be selected to relieve them of such anxious and responsible duties! Dr. Monro may repudiate this *interpretation* of his opinion; but, speaking in honest and intelligible English, we feel assured we have not exposed ourselves to the imputation of misconstruing his suggestions. Admitting Dr. Monro's first principle to be sound, what guarantee should we have that the additional commissioner, sub-commissioner, or inspector, would be more competent to decide the difficult, the extremely knotty questions which would be submitted to him, than the medical superintendent himself? We can imagine a body of sub-inspectors, with the best intentions, making the position of the medical proprietor so intensely "intolerable" by their ignorance, officiousness, and caprice, that a residence in one of our model prisons would be preferable to that of being associated with the management of a private asylum. We have no hesitation in saying that no gentlemanly and honourably-minded man could or would submit to the degrading surveillance and interference to which Dr. H. Monro's suggestions would subject them. If Dr. Monro's views were acted upon, no person who had any respect for his character would connect himself with a private asylum, and the disastrous effect would be, that these institutions would *necessarily fall into the hands of an inferior class of men, unfitted in every point of view to have the care and treatment of the insane!* Holding opinions totally at variance with those advanced by Dr. H. Monro, and advocated in his work, we maintain that it should be the object of the Government to do its utmost to *encourage medical men of high moral and professional character and experience to connect themselves with the management of asylums*; and, having secured the co-operation of men of humanity, judgment, and skill, to place in them the most unlimited confidence. The medical superintendents of asylums should be treated as honest and honourable men, incapable of dirty, mean, dastardly, and shuffling conduct; and, by reposing implicitly in their judgment and character for integrity, the greatest service would be rendered to the insane. If this course of action were adopted, in lieu of that proposed by Dr. Monro, a superior order of men would not hesitate to connect themselves with private institutions, and thus, by a process of "reflex action," our knowledge of the therapeutics and pathology of insanity would be materially advanced. There is, unhappily for the cause of science and the best interests of humanity, a

class of writers and orators who take a delight in invariably referring to the *past*—of dwelling upon things as they *were*, not upon things as they *are*. These men have a morbid pleasure in always descanting upon the horrors of a “madhouse”—of dwelling upon the subject of “manacles,” “strait waistcoats,” “leg-locks,” “muffs,” “chains,” and in endeavouring to work upon the weak nerves of a number of superannuated old gentlemen and hysterical young ladies, by painting in glowing and terrible imagery the frightful cruelties said to have been formerly practised by those who had the care of the insane. These gentlemen keep a stock of these appalling implements of cruelty on hand, and have them ready for exposure whenever they wish to excite a sensation, or keep alive a prejudice. We have witnessed some of these painful exhibitions of *human vanity*, and have been disposed to exclaim—*cui bono*? These frequent recurrences to the alleged barbarities of past epochs—this determination to look *only* upon the dark side of the picture—this unwillingness to acknowledge *that it is just possible* the orator may, in his indiscreet zeal, overstate the subject-matter of his indignant eloquence, must seriously injure the reputation of all engaged in the cure of the insane, and materially retard the progress of cerebral pathology. Such proceedings as these cannot certainly have a beneficial effect upon the public mind. How much more consonant to good taste, conducive to the public interest, and gratifying to the feeling of their hearers, if these pseudo-humanity-mongers—men always on the look-out for a grievance—were to submit to the inspection of those who listen to them a sketch of a well-conducted modern asylum, conducted by the skilful and kind physician, in accordance with the most modern discoveries in psychological science, suggesting at the same time the great importance of prompt treatment, early isolation, and *the certainty of cure in the premonitory stage of insanity*, if judicious *medical treatment be at once adopted*. We maintain that it is injurious to the public welfare and disastrous to the interests of the insane, to be thus dragging from the black records of the past, exaggerated accounts of the cruelties and neglect to which they were formerly unhappily subjected. Let these things be eternally buried with our recollection of the “thumb-screw,” the “wooden boot,” and other instruments of torture used in the dark ages.

Dr. Monro says, “I began my professional life with a strong prejudice against asylums.” Indeed! We are astonished at this candid avowal; but we will do him the justice to say, that he admits that “this prejudice has gradually, not only faded away, but been supplanted by the opposite conclusion.”*

* This gentleman’s family have been connected with Bethlem Hospital for a period of *one hundred and forty years*.

Mr. Dickson takes up a bolder position than Dr. Monro, and proposes that private asylums should be altogether abolished, and public institutions be erected for the reception of the insane of the middle and higher classes.

We have carefully read Mr. Dickson's pamphlet, and we feel bound to express our regret that so much zeal and questionable English should have been wasted in pursuit of such a phantom. The idea of abolishing private asylums,—of substituting in their place *public* institutions, is so preposterously absurd—palpably impracticable,—that we are astonished that any reasonable man could force his mind to the belief that an idea of the kind could, for one moment, be entertained by any one acquainted with the real wants of the insane. Mr. Dickson might, with the same chance of success, endeavour to write down St. Paul's Cathedral, the Tower of London, or the Duke of York's column. If a proposition were submitted to the British Parliament for the abolition of private asylums, we do not believe that the suggestion would, for a single moment, be entertained. If a motion of the kind were made in parliament, the answer in all probability would be, "by what right do you propose to interfere with the freedom of the public will, or wish to deprive us of the privilege of placing our relatives in private asylums, and under the care of men in whose knowledge and practical sagacity we have unbounded confidence? You may succeed in your efforts to abolish all private institutions for the treatment of the insane, but no law can *compel* us to send our friends or relations to *public* asylums." We feel assured *such would be the feeling* of those whose duty it would be to entertain and discuss the proposition, should it ever be submitted to the consideration of the legislature. My son is seized with a paroxysm of insanity;—my daughter manifests signs of mental derangement;—my wife's state of mind requires her to be subjected to treatment away from the associations of home; I am, upon making inquiries, informed that the only asylum to which I can send my relation is a *public one*; that if confined there, it must be in the same building with pauper lunatics!" Such being the only alternative left for a delicate and sensitive mind, it will not be difficult to divine what the decision would be. There are thousands who would adopt any course rather than place their friends or relatives within the walls of a *public asylum*, however high may be its repute. Mr. Dickson will exclaim, "it was never my intention to propose that ladies and gentlemen should be confined in the same house with paupers;" but such *must be the case* if *public* be substituted for *private* asylum, for the author's suggestion that government should undertake to build asylums for the relatives of the aristocracy, is too quixotic to merit a moment's

consideration. Surely Mr. Dickson could not seriously entertain such a proposition? What would our Chancellor of the Exchequer say to a motion of the kind? Should it ever unhappily be the case that only *one* class of institution existed for the reception and treatment of the insane, viz., public or COUNTY asylums, the certain,—the unavoidable,—the disastrous and deplorable consequence would be, that *a large body of insane persons would be kept at home undergoing no effective plan of treatment; or would be secreted in cottages or in lodgings, subjected to no medical or moral curative process, or degree of surveillance apart from that derived from an occasional visit of a medical attendant or relation!* Do those who argue in support of Mr. Dickson's proposition suppose that any legislative enactment could receive the support of the parliament or country, justifying the official authorities in saying to the relatives of the insane,—“You shall not keep your insane son or daughter at home, neither will we permit you to confine them in lodgings or in separate cottages, but we will *compel* you to send them to the wards of a public asylum.” It would not be difficult to conceive the reception which would be given to such a gross attempt to outrage the liberty of the subject! Admitting that the wealthy and aristocratic portion of the community could be compelled to send their relations to a county asylum, would they be better situated there than in a private institution? We really cannot perceive what would be gained by the change. In the treatment of insanity, that physician is the most successful who, to a knowledge of the general principles of his profession, devotes the greatest amount of attention to the study of individual cases; watching carefully the operation of remedies upon the varied phases of the disease. Is this practicable in our large county hospitals? In a recent number of the *Lancet*,† a correspondent asks the question, “how is it that for the last twelve months there has been only *ONE* resident medical officer at the *West Riding of Yorkshire Asylum*, where there are always upwards of 700 patients?” *SEVEN HUNDRED INSANE PATIENTS under the care of ONE medical man!!*

At Colney Hatch, the most recently constructed county asylum, there are only *two* resident medical men, having under their sole care more

* It is with pain that we feel ourselves compelled to refer to the gross abuses discovered by the commissioners in their recent visitation to Bethlehem Hospital, and which has led to a material alteration in the medical organization of this national hospital. We ask men connected with public asylums to look at home before they bring their great guns to bear upon private institutions, and assail in unwarrantable terms the medical proprietors of these asylums. The facts, said to be sworn to before the Commissioners in Lunacy, relative to the treatment of the patients in this hospital, are alleged to be anything but creditable to the officials connected with it.

† June 12, 1852.

than 1000 patients! We ask, is it possible—skilful, able, and active as the resident officers may be—to carry into effect, with such a medical staff, any actual curative process of medical or moral treatment, unless they adopt the suggestion of the physician in one of Molière's comedies, who, upon interrogating his hospital assistant as to the treatment he had pursued, was informed that he had on the preceding day bled the right ward and purged the left; then, replied the doctor, we will reverse matters to-day; please purge the right ward, and bleed the left! Considering the multifarious duties which devolve upon the medical officers of our county asylums—the number of patients they have daily to visit, the time occupied in recording the history of new admissions, in attending at the meetings of the board, in keeping the “case-book,” the “daily journal,” and in superintending the general management of the asylum, and servants—we maintain it to be *physically* impossible to do justice to the patients, or to pay that degree of attention to *individual* and curable cases so necessary in the treatment of the insane. The patients may be well fed, comfortably clothed, humanely treated; but we ask whether it is possible to devote that amount of time to the *physical and mental aspect of individual cases so necessary in any plan of treatment adopted for the purpose of arresting the progress of cerebral disease?* God forbid that we should cast any censure upon the able and distinguished men connected with our public asylums. The fault does not rest with them; it is of the *system* we complain. The county magistracy cannot reasonably expect any *one* or *two* to do the work which ought to be divided between *four* men; and that, too, with salaries much higher than the *present* rate of remuneration.

Mr. Dickson's pamphlet contains a very inexcusable, ungenerous, ignorant, and indiscriminate attack upon all proprietors of private asylums, whom he, with great want of proper feeling and with bad taste, designates as, “*money-making speculators*,” and whom he places, with gentlemanly propriety, in the *same category with publicans!**

As a specimen of Mr. Dickson's *literary* ability, we cite the subjoined passage:—

* “In this enlightened age (says the author) there are nearly 3000 persons confined in upwards of 150 establishments, called private ‘licensed houses,’ the proprietors of which have as great an objection to an empty house as a publican could have to a similar predicament.”—p. 25. It would appear that the proprietors of some *public* asylums have as great an objection to “empty houses” as the proprietors of private establishments are said to have, otherwise why are they so eager to have the *private patients* transferred to *their own institutions*? We feel assured that Mr. Dickson's attack upon the respectable proprietors of private asylums will be repudiated by the great body of gentlemen associated with our valuable national county asylums.

"The sentiment of justice to fellow man comprised in the mandate, 'Do unto others as ye would they should do unto you'—and which has induced our general censure of a system which has witnessed, under its influence, who shall tell how much of wrong—cruel wrong?—wrong inflicted to conceal a wrong—wrong done in ignorance of right—wrong inflicted by brutality or indifference of keepers or their master—wrong inflicted by cupidity to gratify the cupidity of relatives, by blood or interest—wrong done in malice—wrong heaped by crime, upon evidence to still it down, till wrong had got its ends, and dug the grave, and dropped the earth upon the coffin lid of right;—the sentiment of justice nevertheless compels us to acknowledge," &c.

Perhaps our readers may be able to attach some idea to this torrent of eloquence! We confess that it is quite beyond the range of our comprehension.

Pope says, (very impudently, our fair readers will say,)

"Woman and fool are two hard things to hit;—
For true *no-meaning* puzzles more than wit."

We have felt much pain in being obliged to speak in such disparaging terms of the works of Dr. Monro and Mr. Dickson; believing, however, that if their suggestions were carried into effect, sad and fatal results would ensue to that class whose interests this journal was established especially to protect, we have considered it our duty thus to animadvert upon them. We hope when next we have the pleasure of meeting these gentlemen in print, it may be under happier auspices. We assure them it always affords us greater gratification to praise than to censure.

Original Communications.

ADDITIONAL NOTES ON PROVINCIAL ASYLUMS FOR THE INSANE IN FRANCE; WITH A BRIEF REPORT OF THE INSTI- TUTION AT ILLNAU, IN THE GRAND DUCHY OF BADEN.

BY JOHN WEBSTER, M.D., F.R.S., FELLOW OF THE ROYAL COLLEGE OF PHYSICIANS;
CONSULTING PHYSICIAN TO ST. GEORGE AND ST. JAMES'S DISPENSARY, ETC.

(*Concluded from page 255.*)

STÉPHANSFELD ASYLUM.

THIS public institution—appropriated for the reception of indigent lunatics belonging to the two departments of the Upper and Lower Rhine—is situated on a sandy, well-aired, and open plain, near the commune, or small town of Brumath, lying about ten miles north-east of Strasbourg, and adjoining the railway leading from thence to Nancy by Sarrebourg. Previous to 1836, departmental insane patients were usually consigned to the city general hospital, or Hotel Dieu, where they lived in a most deplorable condition, having neither garden nor court-yard for recreation; and, although some of these unfortunate inmates were most improperly allowed to associate with ordinary hospital patients, a large proportion always remained in rigid confinement. Since the period when Esquirol pointed out, and condemned these improper proceedings, the new asylum of Stéphansfeld has been constructed; which is truly, and without exaggeration, highly creditable to the public authorities of Alsace. The situation selected occupies a level country, which affords varied but agreeable prospects on several sides, with a forest, at a little distance, fronting the façade and main entrance. Being thus pleasantly situated, and not overlooked by neighbours, the asylum exhibits altogether an agreeable appearance. In addition to these advantages, as the space occupied by the dormitories and court-yards is ample, whilst the latter are airy and spacious, visitors very soon become favourably impressed with the superior capabilities this establishment possesses, particularly, when compared with various more anciently constructed institutions.

Unlike many public asylums in England, instead of being one large building, having occasionally a palatial elevation—which attribute, however pleasing it may appear to spectators from without, does not augment, nay, even sometimes diminishes the residents' comfort, who are thus sacrificed, as it were, to architectural display and ornament—Stéphansfeld consists of a large central structure, containing the chapel and official residences; from whence various dormitories, having their respective court-yards, branch off on each side. The division for male patients lies on the right hand: whilst that for females occupies the opposite. The sitting or work rooms are large, lofty, exceedingly well ventilated, and conveniently arranged; and the dormitories being equally spacious and well aired, with windows on each side, the entire arrangements really looked cheerful. No iron bars appeared anywhere; and, as every room possessed an agreeable, if not always an extensive view of adjacent gardens or fields, few structures could be better adapted for the objects proposed than the new sleeping-rooms and court-yards which had been recently completed. The place really looked more like a factory, or rather an extensive agricultural establishment, than a madhouse. Additions, with varied

improvements, were still in progress; and, amongst the former, it may be stated that a new building intended to contain numerous workshops for employing patients had been commenced only very recently, whilst the dairy-house, and an inclosure for feeding pigs, would be soon enlarged. Additional gardens were likewise projected, and a mount for patients was being constructed in an adjacent field. In short, activity and judicious advancement in the right direction seemed everywhere observable.

Each court-yard being large, and ornamented by parterres of flowers or trees, formed agreeable promenades for patients; and, as the adjoining fields were visible through open railings, whilst the sunk fence, or intervening hedges, did not obstruct the prospect thereby afforded, inmates could see several miles into the country: or, if they ascended any mount made in nearly every inclosure, the high Schwarzwald mountains of Baden, beyond the Rhine, might be distinguished. Even in the division appropriated for excited lunatics, shrubs, trees, and flowers, embellished the court-yards: where, it should be mentioned, very little damage is seldom if ever committed, particularly on the male side. The cells for secluding dangerous or agitated patients appeared few in number, but even these apartments rarely had occupants. Their construction was, however, so very superior to any heretofore inspected that some special notice thereof becomes appropriate, along with a strong recommendation to construct similar rooms in other establishments. Each cell was cheerful, well ventilated, and had two opposite doors. Besides the above, they also possessed separate skylights, which opened into a large upper apartment, only used as a store, and where one attendant could easily overlook the entire series of apartments, should all be ever in requisition at the same time. These openings were protected by an open wire frame, and had also a sash-window containing variously coloured glass: and both being moveable, either could be used as seemed most expedient, whilst any interference by patients was impossible. The soothing effect produced by variegated light shining through such skylights into the space below, made it appear more like a boudoir for repose, than a cell for the temporary seclusion of excited maniacs. Indeed, the arrangement appeared novel, whilst its application seemed judicious.

When I visited Stéphansfeld last September, the total resident lunatics amounted to 441; comprising 220 male, and 221 female patients. Amongst the above number, 61 were classed as pensioners—34 males and 27 females—who paid from 400 to 2400 francs annually; with 657 francs additional, when the inmate had also an attendant. Besides these 441 lunatics, if the officers and every other person resident within the premises be enumerated, the entire population would then comprise 517 individuals. Believing it may prove interesting to give some details respecting the 76 officials constituting the executive of this asylum, in order to describe, as it were, the effective machinery moving so large an establishment, I would briefly remark that, 18 were sisters of charity, belonging to the religious order "St. Vincent de Paule;" 35 were male and female attendants, including 4 superintendents; whilst 17 persons acted as gardeners, labourers, barbers, dairymen, or in other menial capacities. To these must be added the director, 3 medical attendants, the receiver, and a steward, making in all 6 officers who superintended their respective departments.

The two districts to which the indigent lunatics of this asylum chiefly belong, viz., the Upper and Lower Rhine, being different in various respects from other departments of France, I am therefore led to suppose, a few particulars respecting several existing characteristics may be interesting. For instance, in this province, which constituted ancient Alsace, the German and French languages, are generally spoken; its population comprise both Catholics and Protestants, whilst many of the inhabitants may be denominated a mixed race, seeing they are often the descendants of French and German progenitors.

Nevertheless, considering it would be rather out of place to discuss, at any length, how the influential causes here shadowed forth may have affected the general population, I will merely allude, at present, to one or two interesting peculiarities noticed amongst the insane residents of Stéphanfeld; in order to illustrate several features, whereby other foreigners may be able, perhaps, to unravel questions which otherwise seem intricate, if not obscure.

My present object being rather to record facts than to enunciate speculative opinions, or even to deduce general inferences, unsupported by sufficient evidence, I at once proceed to state that, amongst the whole insane residents under treatment, at the period this asylum was inspected, 308 were Catholics, comprising 151 male and 157 female patients; 111 belonged to the Protestant church, 54 being males and 57 females; 21 were of the Jewish persuasion, consisting of 14 male and 7 female patients; and lastly, 1 male was an Anabaptist. With reference to the language of residents, 224 persons, both sexes included, spoke German exclusively; 47 could only speak French; and 163 were able to converse in both these dialects indiscriminately; the other 7 inmates being idiots or dumb persons. Again, in regard to the elementary parts of education, 201 were able to read German, 38 only French, and 131 read both languages; which left 71 individuals utterly unable to decipher any book whatever. Lastly, respecting caligraphy, 168 wrote German, 34 French, and 125 could do so in either language; whilst the remaining 114 were wholly ignorant of that useful qualification. Respecting the social position of the lunatics under treatment, it is interesting to remark that, 295 were single, comprising 156 male and 139 female patients; about one fourth, or 105 were married persons, including 55 men and 50 women; besides which there were 9 widowers, and 32 widows. Again, as to age, it deserves notice that, 23 male and 26 female inmates were less than 30 years old; 153 men and 121 women, or upwards of 62 per cent. of the entire insane population, ranged from 30 to 50 years of age; 40 men and 66 women were between 50 and 70; whilst 8 female and only four male lunatics had passed the latter period. According to these authentic data, it therefore appears that, insanity attacks the male part of the population in Alsace more frequently during the prime of life, than it affects females; whereas, when young, or arrived at advanced years, the proportion of women labouring under mental maladies is comparatively larger than of the other sex, and they also live longer, although insane.

Occupying the lunatics being a prominent feature in the system pursued at the Stéphanfeld institution, it cannot but prove highly interesting to all advocates of similar proceedings, to learn some details respecting the employments usually patronised. To illustrate this important point, I select the day previous to my visit, when the official report of the different occupations contained the following statement. The total number of patients then employed amounted actually to one half, or 220 individuals, who were thus distributed:—Forty-seven women were engaged in sewing or mending clothes, 27 in knitting, 16 in the culinary department, 14 in domestic duties, 12 in the laundry, 4 in spinning, and 2 in making list-slippers; thereby giving 122 females at work, out of the 221 inmates of that sex. Amongst the 220 male lunatics 98 were occupied; of whom 24 acted as servants in different divisions, 18 worked in the garden, 16 were cutting and storing firewood, 8 were engaged in digging the foundation of new workshops, 7 in cleaning the premises, 6 laboured at the farm, 4 in the stable, 4 in carding wool and hair for mattresses, 3 worked as masons, 2 assisted in the kitchen, 2 were busy at bookbinding, 2 in weaving, 1 was mending clothes, and 1 acted as bath-house attendant. In addition to the 98 lunatics employed as now detailed, it ought to be further mentioned that, 8 male patients were then enjoying a promenade by way of recreation in the adjoining forest. Perhaps the above minutiae may appear

tiresome, although instructive; but believing they will convey some notion of the manner in which the labour system is carried forward in a large French lunatic asylum, I have been induced to state various details, even although doing so may be considered as somewhat supererogatory. To most minds, few spectacles seems more interesting than to contemplate frail human beings deprived of reason, and separated from the active world without, thus busily and often agreeably engaged; seeing their attention is thereby occupied, whilst listless time does not then hang so heavily on their hands. Besides which advantages, physical health being always promoted, the patient's mental malady often derives decided amelioration.

Having a farm of 62 acres belonging to the asylum, this, with extensive gardens adjoining, supply ample scope for out-door occupations. After considerable experience, the director, M. Richards, and Dr. Dagonet, the physician, are both strong advocates for employing lunatics in the open air, especially by means of agricultural and horticultural labour. The latter officer considers such employments often produce real benefit to insane patients; since in some, out-door work essentially promotes recovery, whilst in many, physical exertion materially improves their bodily health. Seeing a large proportion of the lunatic inmates—about four-fifths—are incurable, it consequently becomes a matter of essential importance how to improve their bodily condition; hence order, labour, and discipline, constitute essential adjuvants; at the same time that judicious hygienic measures are also put in requisition.

As might be expected, after perusing my previous remarks, readers will likely anticipate that most inmates of this asylum generally enjoyed good bodily health. Such was the fact: and very few patients occupied the infirmary. One peculiar adjunct to the female sick ward here deserves special notice, from its novelty and really useful purposes;—namely, an airy and spacious gallery or verandah, which could be shut up close, or freely exposed to the external atmosphere, as circumstances might require. Being on the same level with the infirmary, patients who were improving in health, and for whose complaint a change from the confined air of their ordinary dormitory to an open atmosphere, with moderate bodily exercise, would be advisable, might here obtain both, without descending stairs, or incurring the fatigue of making much alteration in their exterior appearance or habiliments. The important benefits derived from such a succursal apartment, for persons approaching convalescence, are so evident that, the same plan might be very judiciously adopted at other institutions for the insane, as also in hospitals and infirmaries.*

Respecting the application of personal restraint in an asylum where so much liberty is otherwise enjoyed by patients, the cheerful appearance of the entire

* Being much impressed with the many advantages convalescent patients would derive from having an apartment like the one alluded to, and in which they could at any time, when considered advisable, take bodily exercise, or inhale an atmosphere entirely different from the confined and often vitiated air of their ordinary dormitories, I mentioned to Mr. Johnson, the treasurer, and committee of Bethlem Hospital, the above novel feature characterising Stéphanfeld, at the same time recommending its adoption as an appendage to the new infirmaries about to be erected. My proposition seemed so satisfactory, that Mr. Smirke, the able hospital architect, was requested to prepare plans accordingly. These were in consequence made, and subsequently approved; whilst contracts have been since accepted for erecting suitable infirmaries, including two promenade apartments or verandahs. The contemplated expenditure will amount to about 5,000*l*. But the governors being always anxious to ameliorate in every way the afflictions, whether physical or mental, of inmates sent to this institution, expense is never considered, if necessary or judicious. Desirous of conveying to readers of these notes some general idea of the proposed erection, I wrote to Mr. Smirke requesting he would kindly favour me with a

establishment, and the principles actuating its executive, must have already led to the surmise that, any kind of physical coercion, or the use of camisoles are very rarely employed. Such was the case; and it is highly satisfactory to report, on the day of my visit, no female patient was in any manner restrained, throughout the entire establishment. One man was, however, partially confined by a camisole; but in this case it ought to be added that, the restraint used was chiefly employed to prevent the patient from deranging the dressings applied to one of his legs recently broken. Notwithstanding this solitary example of partial bodily coercion, Stéphansfeld asylum stands prominently forward as a gratifying illustration, not only in reference to the decided disuse of physical restraint, but it may likewise be quoted as remarkable for the tranquillity very generally prevalent throughout the institution; particularly, amongst insane female patients, who certainly are often, especially in the southern and central departments of France, much more noisy and excitable than in either Alsace or Lorraine.

The medical staff of this institution consists of one physician, Dr. Dagonet, who is a practitioner of much promise, and well known to the profession. He was very recently an interne at Maréville, and obtained his present appointment through merit. There are besides two internes, one of whom is likewise a Doctor of Medicine. This gentleman, Dr. Weill, had performed his own duties so *well* and assiduously that, he was charged with the whole medical superintendence of the establishment, during Dr. Dagonet's recent absence at London, where he had gone to visit the great Exhibition.

For 1850, the following statistical return exhibits the movement of patients at the Stéphansfeld asylum:—

	Males.	Females.	Total.
Admitted	82	73	155
Discharged cured . .	17	18	35
Died	17	15	32

Amongst the 155 lunatics admitted, 100 belonged to the Lower, but only 43 to the Upper Rhine department; the remaining 12 patients being from other districts. This fact either shows the greater prevalence of insanity in the former department, or that the public authorities were more assiduous in sending recent cases to the asylum, contrasted with those of the Upper Rhine; from whence a large proportion of the insane persons received were chronic

brief outline of the building it was intended to construct. The subjoined is that gentleman's reply:

"Berkley-square, May 18, 1852.

"Dear Dr. Webster,—The following short description will explain the nature of the provision soon to be made at Bethlem Hospital, for enabling convalescent patients to take bodily exercise in the open air, before they can be allowed to go out of doors. On the upper story of the infirmary about to be built, on both the male and female sides, there will be an apartment 41 feet by 24, and 13 feet high, reached by stairs leading from the rooms appropriated as infirmaries. The roof is of copper, with a plaster ceiling: three sides of the apartment are wholly of glass, with iron pillars and sashes. The glazing consists of long narrow vertical louvres of glass, each of which turns on a centre, so that they can be all opened, wholly or in part,—one movement opening sixteen louvres simultaneously—much in the manner of common parlour blinds: the clear space between each louvre, when open, is about five inches: by this arrangement all three sides of the apartment will be perfectly open for the admission of fresh air, without any possibility of danger to the patients. The bottom of these glazed louvres is three feet from the floor, and they extend up to the ceiling. Rain cannot enter, and the sunshine may be modified, if necessary.

Very faithfully yours,

"Dr. Webster, &c."

"SYDNEY SMIRKE,"

cases, of whom nearly all exhibited very little prospect of ultimate recovery. Respecting the varieties of mental disease they manifested, 61 of the cases admitted—or two-fifths of the entire number—were attacked by mania, 37 laboured under dementia, 37 suffered from lypemania, 8 were monomaniacs, 8 epileptic patients, one was an idiot, whilst the disease of the remaining three inmates had no specific denomination. According to these official data, it appears evident a large proportion of the residents were incurable patients; especially, seeing one third of the whole number suffered from dementia, or epilepsy, few or none of whom afforded the slightest prospect of recovery, or even of any improvement.

Adding the 372 insane patients remaining under treatment, on the 1st of January, 1850, to the 155 admitted during that year, the following figures indicate the various types of mental maladies by which the 527 cases thus enumerated were afflicted. It should likewise be remembered, as unfortunately every year, most of the new admissions appeared of a very hopeless description, from including idiots, epileptics, and demented persons, about two-thirds of those enumerated in the table were considered incurable.

Type of Mental Disease affecting 527 Lunatics under Treatment during 1850 at the Stéphanfeld Asylum :

DISEASE.	M.	F.	TOTAL.
Mania	55	101	156
Lypemania	33	43	76
Monomania	25	17	42
Dementia	95	85	180
Mania, complicated with Epilepsy . .	30	9	39
Imbecility and Idiocy	15	19	34
Total under Treatment . . .	253	274	527

According to the above statement—which I compiled from official documents—it appears mania and lypemania were more common in female than male patients; whereas dementia, monomania, and mania, complicated with epilepsy, oftener affected men than women; whilst imbecility and idiocy ranged nearly equal in both sexes. Viewed in the aggregate, female patients predominated over male inmates; the excess of the former being 21, or 8·30 per hundred cases then under treatment. This fact deserves remark, as insanity is believed to prevail more frequently amongst males than females in the northern departments of France; which opinion is, however, not supported invariably by the evidence I have been yet enabled to compile from various sources. The large number of epileptic patients, in the male division, likewise merits special notice; more particularly, when contrasted with the much smaller ratio of similar cases amongst female inmates. Thus, 1 person in nearly every eight male patients was affected by epilepsy, contradistinguished to one case of the same severe disease recorded in about 30 female lunatics. Consequently, that malady proved nearly four times more frequent amongst the former, than the latter sex.

All practitioners conversant with mental diseases know, from experience, that the sooner an insane patient is placed under judicious medical and moral treatment, the greater probability prevails of subsequent recovery. This axiom being well established, and universally admitted, scarcely requires any proof or evidence. Nevertheless, it may be now stated, in corroboration of the above

opinion that, the results obtained at Stéphanfeld fully bear out such conclusion. For example, of the 35 patients discharged cured during 1850, more than half, or 20, left the institution convalescent before their malady had continued three months. Age likewise materially influenced similar favourable results; seeing 4 were cured before they were 20 years old; 8 from 20 to 30; 21, or two-thirds, ranged from the latter period to 60; whilst only two persons seemed restored to sound mental health, who had completed their fiftieth year. Based upon these statements, a physician may therefore safely infer, the older a patient has become, and the longer an attack of insanity may have continued, so much more likely should ultimate recovery be reckoned improbable.

In referring to the various forms of mental disease affecting the 32 patients whose deaths were recorded, it appeared that, 15 laboured under dementia, 10 died from mania, 4 by lypemania, 2 from monomania, and 1 by epilepsy. Again, respecting the duration of their treatment in the asylum; one-third of the cases, or 12 patients, died under a residence of three months, 6 from that period to six months, whilst in the remaining 14 deaths, the party had resided at least one year. Another point of importance also deserves special notice, since it materially concerns the medical treatment of insane patients; namely, the nature of the bodily disease from which death evidently ensued, in the whole 32 fatal cases now recorded. On this instructive subject, the register of autopsies kept at the asylum supplies ample information, and from which I quote the following details:

According to that authentic record, 11 patients died through affections of the head and nervous system; of whom 5 were reported in consequence of apoplexy, 3 from softening, and 3 through inflammation of the brain. Again, 12 inmates died from pectoral disease; amongst whom 7 deaths arose from consumption, 4 by inflammation, and 1 through gangrene of the lungs; whilst 7 cases terminated fatally from disease of the abdominal viscera. Besides these deaths, two fatal casualties are classed under the denomination of "asphyxia by suffocation."

Unlike the results recorded at several asylums, especially that of Dijon, which I especially mentioned in a previous page, the above details show the great frequency of phthisis as one of the diseases proving very fatal amongst the Stéphanfeld patients, seeing 7 cases were reported by that malady, whereby it occupied the highest position in the mortuary scale. In every example of that description, considerable disorganization of the lungs was observed, whilst the paranchyma exhibited large purulent cavities, exhaling a foetid odour. Regarding the pathology of insanity considered as a general question, and in order to aid other investigators, who have most laudably endeavoured to associate the different morbid appearances observed on post mortem examinations, with the symptoms previously observed, and thus foretel from the specific type of mental affection manifested during the patient's life time, those diseased structures which would be found on dissection, the following valuable reports illustrating so very difficult a subject, lately made by Dr. Dagonet in reference to the pathological examinations recorded at the Stéphanfeld asylum, deserve mention. From the autopsies performed in 1850, tubercles appeared in five instances of mania, in one of monomania, and in another case of dementia; whereas, pneumonia seemed to occur indiscriminately. On the other hand, softening of the brain always supervened in patients affected with mania, dementia, or epilepsy; whilst, in three cases of fatal meningitis, two laboured under mania, and the third had dementia.

Formerly, intermittent fever and intestinal affections occurred more frequently in the asylum and its neighbourhood, than of late years. This result arose, in great part, through much new ground having been exposed to solar action conjoined with moisture, during the construction of the Paris railway;

but especially, from excavating the canal betwixt the Marne and Rhine. The consequences thus produced were particularly disastrous to the inmates of Stéphanfeld during 1847, as also in several other districts of Alsace: which were literally ravaged by these diseases, almost like a pestilence. For instance, in the commune of Bollwiller—situated in the Upper Rhine, and having 1400 inhabitants—not less than 1103 persons were attacked by ague. Although the railroad and canal are now both completed, still, the latter not being yet opened for traffic, and as it contains several stagnant pools from whence malaria is said to emanate, considerable predisposition to intermittent fever prevailed last year; but only then amongst patients previously attacked by that disease, all other persons having remained unaffected.

Considering some account of the causes which apparently produced attacks of insanity in the 155 cases admitted last year, at this institution, may be instructive, it should be stated that, 26 patients became insane through grief or anxiety, 8 from the passion of love, and 8 by religious fears: thus making 42 cases of madness produced by moral influences. From physical causes, the number of cases amounted to 43, of which 21 were in consequence of bodily disease, 17 arose from intoxication, and 5 through sensual excess. Again, from hereditary tendency, 35 cases were reported: thereby leaving 35 patients in whom the apparent cause was not correctly ascertained. One point in these statistical details, however, deserves special remark, namely,—the number of instances where drunkenness is stated to have produced attacks of mania. To find so many as 17 persons, out of 155 admissions, lose their reason by intoxicating spirituous liquors, certainly furnishes strongly condemnatory evidence respecting the intemperate and irregular habits of the lower classes resident in this province. That 8 individuals became actually insane through religious fears is, however, not surprising, considering the different sects resident in this part of France; seeing controversies on sacred subjects are by no means uncommon, where Catholics and Protestants are thus often placed inimically in juxtaposition, and whilst they frequently entertain very opposite sentiments respecting questions of the greatest import to man's present welfare, and future salvation.

According to Dr. Dagonet, religious melancholy seems to have become more frequent at Stéphanfeld than at any other French asylum for the insane. This unfortunate result, no doubt, arises from the superstitious practices and erroneous notions often prevalent amongst the ignorant portion of the Alsacian population. In proof of such remarks, I would refer to a recent official report, because it expresses the opinion of a physician who is fully competent to speak on these subjects, both from ample personal experience and intimate knowledge of his countrymen. Dr. Dagonet says, in reference to this matter, "The numerous religious sects domiciled face to face in the two departments of Alsace, and who are thereby constantly in communication with each other, occasionally engender troubles and disorder in certain localities. Passion produces a state of irritation which, by repetition, goes so far in some cases as to affect reason: especially, as it is known that religious divisions, even more than political dissensions, awaken the most violent feelings, where superstition has taken a strong hold upon the susceptible minds of a large number of the rural population." No observations could be more explicit or decisive; and, coming from such an authority, any further argument respecting similar questions appears superfluous.

Hereditary tendency to insanity seems likewise to have materially promoted the accession of madness in numerous cases admitted, which influence always acts more powerfully upon the human frame, when conjoined with other exciting causes. Under this category, two very melancholy illustrations of hereditary predisposition to mania, affecting particular families, occurred some time ago at

this asylum, which deserve record, on account of the number of persons who became attacked. In one of the families, originally consisting of seven children, it happened that two members came, during the same time, under treatment at Stéphanfeld, after three other relatives of the identical stock had died insane. In the second example referred to at present, two twins were also inmates along with the previous patient, so that both instances appeared more remarkable from appearing, as it were, consentaneously. Taking the above facts into consideration, besides many similar examples met with in almost every lunatic asylum, it cannot be too strongly urged upon all parties, whether private individuals or legislators, the absolute necessity, nay, imperative duty, of always discouraging the intermarriage of members belonging to any family, in which decided hereditary tendency to insanity prevails. Cases of that description, where one side of the house is tainted seem bad enough, although such calamities may be often greatly ameliorated by proper education, as also through judicious management; but if two parents, equally affected with hereditary predisposition to madness have offspring, the ulterior consequences frequently become most calamitous. Indeed, so many serious social evils may thus supervene that, it would be humane towards individuals, and certainly more beneficial to the community, were these unions always interdicted. In Great Britain, the legislature have, very properly, enacted and said, lunatics shall not dispose of any property by will, nor be allowed to execute legal documents, and cannot be punished for crimes, even of the greatest enormity; how much more necessary, then, does it not appear for efficient steps being taken to prevent the occurrence of so great a calamity as the former contingency!

In order still further to exemplify the disastrous consequences often supervening through hereditary tendency to mania, it should be added that, during last year, there were under treatment at Stéphanfeld—1. a mother and daughter; 2, a brother and sister; 3, two sisters; 4, three sisters; 5, two cousins; 6, an aunt and niece: 7, a religious monomaniac female, in whose family seven relatives were actually insane; and, 8, a husband and wife, who, although not relations by blood, in regard to their descendants were perhaps even worse. The melancholy illustration previously quoted, of three sisters being under medical treatment, appears so very remarkable a coincidence as to deserve special notice, particularly as they all arrived at the asylum on the same day, and had been seized with mental alienation almost simultaneously. The above patients were members of a numerous family who exhibited a strongly marked hereditary predisposition to lunacy, and had been, it was reported, unfortunately led astray by deep but mistaken devotional feelings: or rather, to speak more correctly, through their excessive superstition. Amongst other fancies, they held frequent conferences with wandering gipsies who pretended to prognosticate future events, and whose confident predictions—however absurd, they implicitly believed; consequently, the credulous dispositions of these poor creatures were taken advantage of by cheating jugglers and mountebanks, even now often met with in many rural districts of Alsace, where they practise their tricks and avocations upon the ignorant populace. Having become the victims of strange delusions, the sisters began to pray together, and to perform various mystical ceremonies, whereby their fanatical exaltations augmented in force more and more every day, until one of them actually believed she was the Virgin Mary, and hence insisted upon the other two acknowledging the accuracy of her conviction. Subsequently, the youngest sister being supposed enchanted, or possessed by some demon, she, in consequence, became the object of such excessive personal violence and outrage, on the part of her two relatives, that death followed very soon afterwards. In these sad cases, now related, hereditary tendency to madness, and superstitious ideas were materially influenced by that predisposition to irrita-

tion, which so often exercises considerable power over individuals, as even to produce something like contagion, more especially in excitable temperaments, or delicate physical organizations; whereof, marked and instructive examples are occasionally recorded in the annals of science.

The above deplorable history, and its concomitant evil consequences—derived from an authentic document—has been thus minutely reported, in order to exemplify the baneful results sometimes following fanatical notions, when acting upon credulous imaginations; especially, where the parties implicated unfortunately had decided hereditary predisposition to mental disease. Besides being highly instructive, on account of that peculiar feature, and the violent symptoms each of the three cases portrayed, they also furnish most important evidence with reference to the difficult legal question adverted to in a previous paragraph.

When perambulating the different apartments of this asylum, I was much pleased on remarking the elegance with which several dormitories and day-rooms were embellished. Instead of showing dead unmeaning walls, which elsewhere possessed no attraction for the eyes of even a passing stranger, and much less residents, various apartments were tastefully covered with ornamental paper, which produced, through the objects there delineated, often pleasing impressions upon the minds of spectators. This agreeable feature may be best exemplified by briefly describing one of the female work or sitting rooms which I visited. In this apartment, each of the four walls exhibited views of beautiful country scenery. One was a landscape of some place in France, another contained a view of Switzerland, and a third represented romantic looking lakes and a valley in Scotland, where stalwart highlanders—wearing bonnets and dressed in tartan philabegs—seemed gaily sporting over their well known land of the mountain and the flood. At one side of this agreeable room, an elegant clock not only indicated the hour to the different inmates then busy at work, but it played an exhilarating tune on our entrance, which could be at any time varied, or repeated, by touching a spring to set the machinery again in motion. Other ornaments I noticed might be also mentioned, but it seems unnecessary: however, one feature of a temporary character should not be forgotten on this occasion, as the circumstance was exceedingly pleasing to witness, besides indicating much good feeling which seemed to actuate the inmates. In the centre of this apartment, a kind of drawing, or picture, had been made with sand of different colours, but so arranged as to look like wreaths of flowers, in the same manner as London ball-rooms are chalked when a gay party assembles. In the middle of these arrangements, which had been all made by inmates, the words, “Vive la famille Dagonet,” were accurately traced in variously coloured sand. This motto was intended by the female lunatics occupying that division as a welcome to their worthy physician, who had only returned the previous night from visiting the British metropolis; and, I must add, the compliment thus paid was highly creditable to all parties concerned.

Throughout the entire establishment, great cleanliness and apparent comfort prevailed. Ventilation was excellent; whilst the inmates everywhere conducted themselves with order and quietude, all having an appearance of being contented, quite as much as lunatics could be expected to exhibit in their peculiar position. The bedsteads were generally made of wood, but iron were also used, especially for dirty patients. None of the dormitories appeared crowded, although some will be considerably relieved in that respect, by transferring a section of the private patients to their new residence, so soon as the building now in progress shall be completed. When this is done, a separate court-yard will be also appropriated for the epileptic patients, who are at present rather numerous.

Exercise in the open air being considered most essential, and, as it often proves highly beneficial when treating insane patients, the farm now belonging to the institution affords an excellent locality for carrying out that principle.

Besides these means of employing patients in out-door labour, the gardens, piggery, and cow-house—immediately adjoining the asylum, greatly conduce towards attaining the same object. According to the extended experience, both of the physician and director, bodily labour in the open air is found to be, in many instances, of real benefit to the insane. In some cases, it becomes an important means of cure; in others, the exercise improves their physical health; and, in many, it even appears to be a fruitful source of contentment. Such gratifying effects are frequently noticed at this asylum, where a number of inmates may be seen engaged in different kinds of work; and often with as much, if not even sometimes more assiduity than ordinary workpeople.

Physical labour is, however, not the exclusive kind of employment encouraged at this asylum, and patronized with zealous energy. Intellectual exercises of various kinds being, likewise frequently and systematically, brought into operation; for which purpose, an able schoolmaster has been especially appointed on the male side, whilst one of the sisters of charity acts as the teacher in the female division. Through the assiduous exertions of both these efficient and most useful assistants—who always act under the superintendence of the physician—different kinds of intellectual exercises are daily put in requisition; which occupy the lunatic's attention, and thereby withdraw the patient's weakened mind, if possible, from contemplating those morbid ideas, or delusive fancies, which characterize, or appertain to the particular form of mental malady then present. Having that object constantly in view during the treatment, conversations on history, instruction respecting the physical and natural sciences, translating interesting works, analyzing instructive publications, reading aloud, and, lastly, exercising the memory by repeating from authors passages previously learned, are zealously promoted as the chief means likely to fix the mobile mind of an insane person. Other patients, less advanced, are first taught the elementary parts of education, in a somewhat similar method to that already mentioned as now adopted at Armentières and Auxerre, with so much advantage.

Besides these often useful adjuvants in the management of lunatics, music and singing have also been frequently employed with very beneficial consequences, whilst even plays were acted on two occasions, one by female, the other by male lunatics, who appeared as performers. Respecting the latter kind of amusement, I can say nothing from individual experience, never having been present at any of these histrionic entertainments; nevertheless, their utility seems doubtful, if the effect be not injurious. In reference, however, to the former, and correctly speaking, certainly more intellectual occupations, I can assert with some confidence, after personally witnessing both male and female insane residents, in their respective school-rooms, when occupied with the tasks assigned, that the impression made upon the audience then present appeared beneficial, and must have produced sanative consequences. In one of the apartments I visited, whilst these exercises were proceeding, about forty insane pupils had assembled. Some read aloud, whilst others listened; several afterwards recited; then a party sang in chorus, accompanied by the teacher on a fiddle; and, lastly, questions in arithmetic were asked, to which, if one lunatic could not answer correctly, another was requested to reply; two inmates were also making drawings at a separate table, and I would add, that one of the monitors, who appeared at the time particularly zealous in teaching several pupils placed under his special superintendence, was himself a lunatic. Altogether, the scene here exhibited appeared most interesting, and was also exceedingly creditable to the asylum executive authorities. In carrying

forward the varied intellectual occupations, only now briefly described, the director and physician—who both take the liveliest interest in the scheme pursued and its success—are most ably assisted in their endeavours to improve the condition of numerous lunatic inmates under treatment, by the meritorious exertions of M. Grucker, the present schoolmaster, who is deservedly esteemed as one of the most efficient officers in this establishment.

After passing nearly an entire day, greatly to my own satisfaction and improvement, in the company of M. Richard and Dr. Dagonet, whereby I gained much practical and valuable information respecting the excellent asylum under their respective management, I left the above-named gentlemen late in the afternoon, and returned by railway to Strasbourg.

However, before concluding the report of my visit to Stéphanfeld and its active executive, of whose courtesy, kindness, and civility, the most agreeable reminiscences will always continue; one important, although final remark, must be made, namely,—whatever sentiments may have been excited in Esquirol's mind on inspecting the former and very objectionable receptacle for lunatics, in the ancient capital of Alsace, these feelings would be no longer applicable. Were that eminent physician and philanthropist now alive, or could inspect the new asylum in this district of France, assuredly, any anathema formerly expressed by so very high an authority, would be amply neutralized by the decided approval which he, doubtless, would then proclaim respecting various internal capabilities characterizing the present building: as also in reference to many benevolent exertions recently and successfully made in order to improve the mental condition, besides materially to augment the bodily comforts and social condition of its often psychically afflicted insane population.

ILLNAU ASYLUM.

Having arrived near the confines of Germany, and knowing the institution for lunatics recently established at Illnau, in the Grand Duchy of Baden, was considered by medical observers as one of the best constructed asylums east of the Rhine, besides being so well conducted as to have merited the approval of various foreign visitors, who had inspected that establishment, I therefore resolved to follow their example, and so judge for myself. Although not strictly within the original scope proposed in these desultory notes on French provincial asylums, I have nevertheless been induced to add a brief notice of the institution now named, to the various sketches already submitted for the perusal of my professional brethren; but how far such a step may accord with previous proceedings, others, not the writer, must determine. This much I would still anticipate, viz.,—that the facts and figures about to be detailed, for the use of those readers who may peruse this narrative, will be received as some apology for thus attempting to occupy further attention.

Influenced by the above motives, and hoping the objects proposed in this extended communication will be deemed in part satisfactory, I therefore proceed at once to remark, in reference to Illnau that, formerly lunatics belonging to the Grand Duchy of Baden were placed under medical treatment, first in the town of Pforzheim—containing about 6000 inhabitants, and situated at the confluence of the rivers Enz, Wurm, and Nagold—until 1826, when they were transferred to Heidelberg. This change was, in many respects, considered an improvement, as the vicinity of an university of celebrity served to dissipate various prejudices previously entertained by the public respecting insanity, whilst it increased the zeal of attendants. However, the place selected being surrounded by buildings, having no adequate space for the inmates, either to take bodily exercise, or of being employed, it was soon found to be most objectionable. Besides these grave disadvantages, seeing it became wholly

impossible to prevent frequent communication between the lunatics and residents of several houses, in immediate contact with the asylum; and being also impracticable, owing to the limited accommodation afforded, to classify the patients judiciously, or even to separate both sexes sufficiently, the public authorities resolved to select another and more appropriate site, whereon to construct an entirely new institution; in the interim, about 60 patients being taken back to Pforzheim. In 1836, the Baden government decided upon constructing the present asylum of Illnau, which was commenced immediately; and having been finished in 1842, when lunatic patients were first admitted, the establishment has now continued open about ten years.

The situation chosen is near the small town of Achern, nearly eighteen miles north-east from Strasbourg; and placed almost in the centre of the Grand Duke of Baden's territories. The actual position of the Illnau asylum is certainly fine, if not beautiful; since it has on one side the extensive plain in which the Rhine flows, and on the other, but close behind, is bounded by lofty yet highly picturesque mountains. At a distance, but beyond the fertile Briesgau, the Vosges hills in France are seen; whilst those of the Black forest, sometimes rising precipitously to an elevation of 4000 feet, limit the view in an opposite direction. Altogether, the landscape thus afforded appears most splendid, and may well bear comparison with many scenes often much lauded by travellers, who have visited the Alps or Pyrénées. This German institution is, however, not only remarkable for the magnificent and varied surrounding scenery, but likewise for its salubrity. The soil is dry, sandy, and free from damp, or marshy ground, besides being sufficiently covered with trees; and as the neighbouring fields are productive, many of the articles required for food, by a large population, can be easily obtained and in abundance. The healthy looks of most country people resident in this district of Baden, also furnish conclusive evidence that, the legislature and government acted judiciously, when they resolved to furnish the supplies necessary to build a large public lunatic asylum near Achern. Although neither marshes, lakes, nor any large river are found in the vicinity of Illnau, nevertheless, the establishment is abundantly supplied with water; not only from springs within its precincts, but likewise by a moderately deep, yet rapid rivulet, which meanders in the immediate neighbourhood. The water obtained from this source is of excellent quality, and being besides amply sufficient for every necessary household purpose, it is also collected by a pond, made expressly in one of the fields adjoining the asylum, for the purpose of enabling patients to bathe in the open air, or of learning to swim; analogous to the conveniences reported in a previous page, as peculiar to the Dijon departmental institution for lunatics.

Somewhat similar to the asylum at Stéphanfeld, the Illnau establishment consists of a series of separate buildings, having gardens and airing grounds adjoining, but so entirely disunited as to prevent, if necessary, any communication. The court-yards amount to twenty: ten being on the male side, and ten attached to the female division. Possessing such ample means for proper classification, it therefore becomes an easy proceeding to subdivide the patients into numerous sections, according to their individual maladies, and other distinctive qualifications. Each sex, therefore, comprise ten subdivisions, five of these sections being appropriated for curable, and five for incurable lunatics, whilst agitated patients are always placed in the ground-floor apartments. Generally speaking, every dormitory has from eight to twelve beds, although sometimes only four of these are occupied.

The central building contains a large chapel, in which the Protestant and Catholic services are performed alternately on Sunday, by the respective clergymen of both persuasions; of whom two are attached to the establishment. Underneath this sacred part of the edifice, a spacious ball or concert-room has

been arranged, where dancing and musical re-unions of the insane residents are held frequently and periodically. This large apartment, or hall, seemed well adapted for the purposes proposed, although it looked rather sombre, in consequence of the paucity of windows, through which, besides admitting more light and air to the assembled audience, a fine view of the mountains and neighbouring scenery would have been also obtained. Apparently some fête had been very recently celebrated in this locality of mirth and amusement; seeing a huge letter L, intended to represent the reigning grand Duke's cypher, composed of flowers, with festoons of evergreens, hung opposite the music gallery. The idea thus portrayed was pleasing to contemplate; whilst the use to which this saloon-looking apartment was dedicated produced equally agreeable impressions. Nevertheless, I could not avoid thinking simultaneously that, the chapel and concert-room appeared thus too intimately united, since religious services and gay music, or dancing parties, are decidedly different in their object and nature. Neither ought they ever to appear in any way physically conjoined, since each are morally separated, and otherwise in opposition as to their effects upon society, wholly irrespective of much higher considerations.

The asylum's exterior is agreeable; and as no iron bars are seen on any window, the entire structure looks more like an ordinary factory, than a building for the accommodation of lunatics; whilst an open lawn in front, with the residences for officers and domestics on each side of this enclosure, give to the institution a cheerful appearance. Nevertheless, if disposed to be hypercritical, it would be respecting the numerous trees which have been planted, in some places, rather too near the dormitories, and hence to interrupt free ventilation; or perhaps to produce damp, which must prove injurious to the health of inmates. Should such effects follow the cause assigned—and that notion is by no means visionary—such influences could be easily remedied by thinning the adjacent plantations.

From Achern to the principal entrance of the asylum an excellent highway, having a gravel footpath, with rows of trees on each side, has been made for the convenience of visitors; and as this avenue leads through fertile green fields, from whence lofty hills are seen looming in the back ground, travellers cannot feel otherwise than much pleased with the impressions produced, on approaching this lunatic institution. Such, at least, were the sensations affecting my own mind the day I visited Illnau, when the weather was fine, and the sun shone out in splendour. A delightful breeze fanned the luxuriant foliage around, which then cast a deep shade over the road perambulated; whereby, the morning's walk became exceedingly agreeable, whilst various surrounding objects took strong hold of my feelings and senses, however devoid I may be of any poetical imagination. Notwithstanding the magnificent weather and splendid scenery, seen everywhere, with the comfortable-looking people I occasionally encountered, still, being a solitary foreigner about entering a German madhouse, in which all would be entire strangers, there appeared such an unusual interest round present proceedings, as to make me pause and contemplate. Now, I was quite a free agent, in excellent health, and permitted to admire nature in true magnificence, without any molestation; but a few moments afterwards would exhibit afflicted fellow creatures in various respects entirely different, although many outward things might seem nearly the same. Such is, however, the chequered life of man. Consequently, persons ought to feel grateful for whatever advantages they may individually enjoy, when contrasting their particular lot—especially if fortunate—with that of less happy or prosperous members of the great human family.

According to existing regulations at Illnau, curable and incurable lunatics of both sexes, and belonging to all classes of society, are admitted as patients; but parties, not natives of Baden, are only received when there is sufficient

room in the dormitories. Idiots, epileptics, and cretins, as also lunatics affected with any loathsome disease are, however, inadmissible; the old asylum at Pforzheim being especially consigned for their reception. Indigenous curable insane patients are uniformly admitted in preference to any other persons; but incurables can be only received as inmates when indigent, and considered dangerous. An important rule in reference to the admission of curable pauper lunatics deserves particular notice, on account of its beneficial operation: namely,—wherever application has been made for admission in such cases before the patient's mental malady has continued six months, then no payment is exacted from the commune for their maintenance during the first half years' residence. The object of this excellent regulation being to induce relatives, or others, to send such insane persons to the asylum without delay, so as to augment the probability of ultimate recovery.

The medical staff attached to the Illnau institution consists of one chief physician, Dr. Roller, who is also director; two physicians, one being for the female, and another for the male division, with two internes; all being resident. Besides the above officers, there are occasionally medical pupils in attendance, who may also reside in the establishment, on paying a fixed sum for board and lodging. This feature in the arrangements at Illnau originates from a recent law made by the Badish legislature, which makes it imperative for every medical practitioner—desirous of obtaining any official appointment under government—to have first attended as a pupil in some lunatic asylum during at least three months, in order to acquire practical knowledge based upon experience, respecting the nature and treatment of mental diseases. This constitutes an admirable and most useful regulation, which ought to be adopted everywhere, and enforced by all licensing medical colleges and corporations throughout the British dominions.*

At the period of my visit to Illnau, the insane residents amounted to 410; of whom 206 were male, and 204 female lunatics. Amongst the entire number, about one-sixth were pensioner patients, paying from 400 to 600 "guilders," that is, 32*l.* to 50*l.* per annum; but where the inmate was a foreigner, the annual payment then varied from 500 to 750 "guilders," or 40*l.* to 60*l.* Although many were classed as incurable lunatics, still about one-third of the total patients appeared curable cases, their mental malady having only recently supervened. Several paralytics were likewise under treatment, although that form of insanity seemed by no means frequent in this asylum. In nearly every part of the establishment, the bedsteads were principally made of wood; iron not having been to any extent yet introduced. The cells for the reception of excited lunatics, when seclusion was considered advisable, seemed well ventilated, and even cheerful-looking apartments, being by no means like the dungeons which were so common during olden times in most countries of Europe. Indeed, these receptacles appeared superior to many seen elsewhere, although they certainly cannot be placed upon a par with the cells recently constructed at either Châlons or Stépansfeld.

Judging from their outward physical aspect, when perambulating the various divisions of this institution, most of the residents seemed to enjoy good corporeal health; whilst very few inmates were observed then under treatment in

* Since writing the preceding paragraph, I am much pleased to report, through the recommendation of my experienced friend, Dr. Scott—examining physician to the East India Company, the board of directors have decided that, in future every medical officer, nominated for their service, must have attended as a pupil at some public lunatic asylum, in order to study insanity and its treatment, during at least three months, previous to undergoing an examination for such appointments. This new regulation is highly commendable: and I trust the governing authorities at home—naval as well as military—will soon imitate so excellent an example.

the infirmary for any bodily disease. Respecting the application of restraint in excited maniacs—which is always a true indication of the system pursued in treating lunatics—although not so frequently employed as in several French and some German asylums which I could indicate, still the proportion of cases where personal coercion was used seemed greater than the ratio recorded in previous pages, at various public institutions: seeing five female and three male patients were confined by strait-waistcoats on the day of my visit to Illnau. All were otherwise free and unrestrained; but, in extenuation of such practices, it should be remembered that, many foreign physicians sincerely believe there is greater liberty, if not kindness and safety towards the patient, when an excited maniac is restrained by a loose camisole, than if placed in solitary confinement, or even committed to the special care of one or more attendants. This mode of proceeding they consider often proves in a higher degree irritating, than using a strait-waistcoat. At least, such is the conviction of some distinguished continental practitioners.

During the year 1850, the following official return exhibits the movement of insane patients at the Illnau asylum:—

	Males.		Females.		Total.
Admitted	86	...	71	...	157
Discharged Cured	33	...	28	...	61
Died	16	...	9	...	25

From the above statement, it appears that, more male lunatics were admitted into the institution than females; but, although the comparative ratio of recoveries in both sexes were nearly identical—about 40 per cent. compared with the admissions—a much larger number of the former died during last year than amongst the latter class; the relative proportion of deaths being 18·60 per cent. of male, and only 11·26 per cent. of female patients, both being calculated according to the actual amount admitted. Besides the practical importance of these data, the figures now quoted are also instructive in another respect, seeing the number of male lunatics received, confirm the accuracy of the opinions enumerated by various observers respecting the greater frequency of insanity, met with amongst men than women, in many districts of Germany. As further evidence, in proof of these conclusions, it may be also stated, when the insane patients were removed from Heidelberg and Pforzheim, during 1822, to the new asylum at Illnau, they consisted of 181 male, and 133 female inmates. Again, two years afterwards, when the total residents of the latter institution amounted to 352 lunatics: they comprised 208 males, and 174 females, whilst the additional patients admitted during that period, comprised 66 of the former, and 60 of the latter sex; thus giving corresponding results to those more recently recorded. From these facts, it therefore seems established that, mental disease oftener affects the male than the female portion of the population, in this part of Deutschland.

Possessing a small farm of forty acres, in addition to the gardens adjoining, means are thereby supplied for employing patients, to a certain extent, in agricultural and horticultural pursuits, especially, as the out-door occupations are held in considerable repute at this asylum; not only for both sexes belonging to the lower ranks, but likewise for patients in even the more elevated class. Besides different employments in the open air, having various workshops attached to the institution, numerous inmates may be frequently seen busily employed in a variety of trades and handicrafts. Thus, tailors are often observed at work, also shoemakers, carpenters, locksmiths, turners, cartwrights, and bookbinders; in short, every means are adopted to occupy patients, compatible with their physical powers and mental health; seeing such proceedings often prove highly beneficial. The work thus performed is also of great importance to the

institution in regard to economy, as, for instance, most of the wearing apparel required by inmates is made upon the premises. Cutting and storing the large quantity of firewood, used in such an extensive establishment, also occupies a number of male patients during the summer season. The female inmates likewise labour with as much zeal as the other sex; many being constantly engaged in ordinary household duties, others are busy at various kinds of needlework, or in plaiting straw, which forms a common and favourite occupation to females in the Rhenish provinces.

But mere physical labour is not the only extra-medical measure employed to aid other means of treatment. Excursions beyond the asylum precincts, besides various kinds of amusement being often called into requisition: whilst music, and different varieties of intellectual occupations are frequently used with advantage, especially to rouse and strengthen the lunatic's dormant faculties. Hence, musical reunions assemble under the direction and tuition of professional instructors, which not only become the source of great gratification to a people like Germans, who are all lovers of sweet sounds, but the effects prove otherwise salutary. With reference to intellectual pursuits, those in most repute at Illnau, seemed to be reading, writing, arithmetic, and geography. Besides the above accessories, frequent promenades take place, which are occasionally, in fine weather, so numerous attended that the establishment has been left almost empty of occupants. These excursions are not always confined to the vicinity of Illnau—however beautiful the surrounding scenery—as they are sometimes extended as far as Kehl, or even to the environs of Strasbourg, eighteen miles distant, which is remarkable for its unrivalled spire—the highest structure in the world—besides extensive, and almost impregnable fortifications. Parties of lunatics, occasionally, also visit the beautiful cascade, near an old convent, denominated “All Saints,” which is situated high up in the neighbouring mountains, and from whence may be seen one of the most interesting prospects throughout Rhine-land.

Reviewing the various impressions produced upon my mind when visiting Illnau, I can justly say they were favourable to the establishment; whilst the conclusions then formed have since been strengthened by subsequent reflection, and additional information more recently obtained. The inmates appeared to be sedulously superintended, looked healthy, and in good bodily condition; at the same time that order and tranquillity seemed to reign throughout the institution. To say the court-yards and dormitories were less noisy, especially on the female side, than in several French asylums, might be anticipated almost as a matter of course: considering the marked difference manifested in some essential peculiarities of character, which distinguish the two people. Betwixt the imaginative, ardent, and often volatile but intelligent natives of France, and the phlegmatic, contemplative, laborious, and domestic Germans, there often prevails such decided discrepancies of conduct and disposition, that it is quite natural to expect residents in lunatic asylums will behave, under similar circumstances in both countries, as unlike each other as they generally do in sane society. To Stéphanfeld and its inmates the population of Illnau, as also the various buildings, undoubtedly exhibit considerable resemblance; but this feature becomes less remarkable, when it is remembered the residents of both asylums possess many peculiar features in common; seeing they were originally almost the same people. Compared, however, with the lively and impressionable natives of the Orleanois, of Anjou, or those dwelling farther south, it cannot appear singular if lunatic patients, belonging to Alsace and Baden, should be more sedate, even when confined in a madhouse, than persons afflicted with insanity who were born in warmer regions, besides being endued with very different feelings, temperaments, and physical constitutions.

Contrasted with many similar institutions for the insane in Germany, that of Illnau is far superior, both in respect of accommodation, mode of management, and the moral treatment now pursued. I might allude to several, from personal

observation made during former years; but great improvements having been effected since that period in most of these establishments, any comparison, at present, would therefore be neither correct nor equitable. Nevertheless, in reference to the public lunatic asylum of Vienna, which constitutes a separate division in the large "Krankenhaus" of that city, there is less objection to my comparing the two together, seeing the latter establishment was, recently, very much in the same condition it exhibited many years ago, when I visited the Austrian capital. The "Irrenthurm" of Vienna then appeared the very worst receptacle for lunatics I had ever, previously or have since, inspected; many of the inmates being bound by chains, and howling in dens, more like wild animals in cages than christian men: whilst numbers had almost nothing but straw for their covering. Being a circular tower, five stories high, any noise made in the lower part of this building could be easily heard in every upper apartment; so that, however quietly the residents of that portion might behave, it was nearly, if not utterly impossible to remain tranquil, or enjoy repose. Further, as a court-yard for patients taking exercise occupied the centre of this cylinder-like structure, its position hence became, in every way, most objectionable. Again, the floors, as well as the ceilings of the cells, being stone-arched, the whole arrangements were cold-looking, sombre, and truly comfortless. Indeed, I may assert, without exaggeration, nowhere else has such a badly adapted institution for the reception and treatment of lunatics ever come within my personal observation in any part of Europe I have visited: and it is hoped fate will never let me see the like again.

Having been built in 1784, when public asylums for the insane were often much worse than prisons, generally unhealthy, usually very imperfectly ventilated, and always filthy, the fact cannot therefore appear surprising, should the old madhouse of Vienna still exhibit, according to observations published by late travellers, some of the revolting features which were so forcibly portrayed at the period of my visit to that institution. A new asylum having, however, been recently built in this capital, at an expense of £80,000, it constitutes the largest, and one of the best conducted receptacles for insane patients throughout Germany; and, as Dr. Riedel—formerly medical director of the lunatic establishment at Prague—has been appointed the chief officer, that seems a sufficient guarantee this asylum will be so managed, in future, as to place it on a level with many others of the highest repute, whether in France or England. Believing such will be the case, and trusting also, that farther ameliorations will be likewise made at the old "Irrenthurm" of Vienna, I must here conclude this rather brief report respecting Illnau, by remarking, as the latter asylum excels many other insane institutions of Germany, which might be easily named, its superiority consequently confers greater honour on the government and legislature of Baden, by whom this public receptacle for lunatics was established: but especially upon Dr. Roller, who has so materially contributed to place the asylum in the high position it now, deservedly, occupies throughout Europe; to say nothing of the new efforts continually made to accomplish additional improvements.

GENERAL REMARKS.

Having now brought to a close my rather lengthened report on the respective asylums inspected during last autumn, before considering the facts obtained at the different institutions, in the aggregate, I would make one preliminary remark that several of those which have been only recently constructed were, if compared with others built at an earlier period, of a very superior description. This opinion applies especially to Châlons, Auxerre, Dijon, and Stéphanfeld, as also to Illnau. Considered as a whole, in reference to structure and internal arrangements, Stéphanfeld was, however, superior to all the others, according to my judgment; although the new dormitories at Châlons appeared certainly of a better description,

than similar apartments elsewhere. At Auxerre, the female division is excellent; and when the proposed new buildings are completed, that asylum, I feel confident, will then become one of the best in all France, from its superior accommodation. The exterior of Illnau, and the judicious arrangement of its various court-yards deserve much praise; but, internally, it must yield the palm to Stéphanfeld and Auxerre. Again, Dijon and Auxerre possess great advantages, in having an ample supply of water in each court-yard; whilst, at the first-named institution, it is even conducted by pipes to the different dormitories. The important benefits consequent upon always possessing an abundance of water, in every receptacle for lunatics, are so universally acknowledged, that visitors will admit these two asylums should be held up as models for others to imitate, if unable to surpass them both, in respect of that most essential element in populous establishments.

Although the asylums enumerated in the previous paragraph were considered superior to many others in respect of their physical capabilities taken altogether; nevertheless, in one or two points, several of the other lunatic institutions are indubitably excellent, and deserve commendation. For instance, the dormitory and really beautiful garden, for dirty female patients, at Maréville, surpassed anything of the kind observed in other asylums; whilst some of the court-yards at Clermont appeared more open, spacious, and better adapted for their specific purposes than similar enclosures in several other localities. Fains was truly *fair*, and its gardens beautiful; but Armentières certainly could not be put in comparison with any, being much inferior; whilst Lille, notwithstanding the zeal and attention of various officers, seemed totally unfit for the purposes of an asylum: not only on account of many irremediable inherent defects, but from its objectionable situation. These evils have been recently rendered much worse than before, by the new station of the northern railway, whereby incessant disturbance and confusion prevail in the streets, which bound three sides of that asylum. All this the lunatics hear, at the same time that their screams, and the agitation incident to 335 noisy female lunatics, may be frequently recognized by crowds of passengers. Comparisons often appear odious, but justice to all parties must rise superior to such considerations; therefore, when placing Lille at the bottom of any comparative scale, and Stéphanfeld on the pinnacle, it ought to be always remembered, the former was anciently a religious house; whereas the latter is a new asylum, built expressly for the reception of insane patients.

Considering it might likewise prove instructive, and, at the same time, enable inquirers to deduce inferences respecting the several institutions referred to in previous pages, with greater facility, if the various facts now recorded were arranged in such a manner as to present, at one view, a general statement: I have, therefore, compiled the subsequent table. Seeing the returns embrace so large a number of patients as 4604 resident in the different asylums, at the period of my recent visit, and that it likewise gives the total admissions, cures, and deaths actually reported during 1850, I trust the document will be considered interesting, even although some readers may only see therein a mere repetition of figures, with which they were before sufficiently familiar.

Table shewing the Movement of Patients in Nine French Provincial Asylums, and one German, during 1850. Also, the total Insane resident Population, when visited in August or September, 1851; with the Number of Persons under restraint.

NAME OF ASYLUM.	MOVEMENT OF PATIENTS IN 1850.												TOTAL POPULATION IN THE AUTUMN OF 1851.						PATIENTS UNDER RESTRAINT.		
	ADMITTED.						CURED.						DIED.						M.	F.	Total.
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.						
Armentières	123	—	123	29	—	29	58	—	58	—	—	58	496	—	496	15	—	15			
Lille	—	84	84	—	16	16	—	25	25	—	—	25	—	335	335	—	28	28			
Clermont	132	134	266	20	33	53	68	85	153	30	15	45	390	486	876	4	14	18			
Châlons	37	36	73	30	15	45	13	8	21	145	164	309	4	—	—	4	—	4			
Fains	36	24	60	15	9	24	22	8	30	186	155	341	1	3	4	1	3	4			
Auxerre	36	39	75	11	11	22	15	10	25	109	157	266	—	—	—	—	—	—			
Dijon	42	50	92	15	13	28	6	14	20	101	153	254	—	—	—	—	5	5			
Maréville	108	90	198	24	17	41	44	40	84	471	405	876	—	—	—	—	3	3			
Stéphansfeld	82	73	155	17	18	35	17	15	32	220	221	441	1	1	2	1	—	1			
Illnau	86	71	157	33	28	61	16	9	25	206	204	410	—	—	—	5	3	8			
Totals	682	601	1283	194	100	294	259	214	473	2324	2280	4604	30	56	86	30	56	86			

According to these statistics, speaking generally, a larger number of male patients were admitted than female; the excess being 81, or 13·47 per cent. of the former over the latter sex. More males than females were also cured; the ratio being 28·44 per cent. of that class against 26·62 per cent. of the opposite. Again, the proportion of deaths predominated amongst male lunatics, of whom 37·97 per hundred admissions died; whilst the mortality amongst female inmates amounted to 35·60 per cent, similarly calculated. Respecting the total population, at the period of my inspection, although considerable discrepancies prevailed in particular establishments, male patients on the whole predominated; the excess being 44, or less than 2 per cent. In reference to the aggregate number of inmates under treatment, it may be noted as a rather curious coincidence, that the two largest asylums named in the table contained identically the same amount of patients, although the ratio of the two sexes was different. Thus, Clermont and Maréville have each 876 lunatics, the majority in the former asylum being female patients; whereas, at the latter institution, male inmates were most numerous. On the other hand, in the great valley of the Rhine, which comprises Alsace and Baden, it certainly appears very remarkable that, in the only two public asylums for the insane of these provinces, which are, in many respects—both physical and moral—very similar, the sexes of patients then under treatment should be all but equal; seeing, at Stéphanfeld and Illnau 425 lunatic females were then resident, whilst the number of males similarly afflicted was 426 at both places. It is also worthy of notice that, the total admissions were nearly the same in amount at these two asylums, whether compared in reference to sex or number; since the new patients admitted into the former establishment were reported to be 155 against 157 received at Illnau during the parallel year. The gross mortality, however, varied considerably in the different institutions, calculated according to the number actually admitted. Thus the ratio of deaths ranged so high at Clermont as 57·51 per hundred admissions; whereas, at Maréville, where the residents were exactly the same in number, it amounted to 42·42 per cent. At Armentières, into which only male lunatics are received, the mortality was 47·96 per cent.; whereas, amongst the male patients at Dijon, the proportion was less than one-third that amount, or 14·28 per hundred cases admitted. Further, at Châlons, the deaths amounted to 22·76 per cent.; whilst at Auxerre the ratio was 33·33, or one-half more than the latter proportion, speaking comparatively; consequently, the highest mortality recorded took place at Clermont, the lowest being observed at Dijon; in which asylum, both sexes included, the ratio of deaths was 21·73 per hundred admissions.

Respecting the all-important question of personal restraint, a single glance at the previous table speaks more eloquently, and to the point, than any lengthened dissertation. In that document, Auxerre stands pre-eminent, no case whatever being in camisole. Stéphanfeld, in which only one patient was partially restrained amongst 441 lunatics, comes next, being almost on a par with the former institution; whilst Lille occupies the lowest position in this comparative scale, seeing 1 patient, in every 12½ inmates under treatment was confined by a strait-waistcoat. English physicians cannot approve of similar proceedings; but then it should be always remembered, the feelings, constitutions, and habits of the French and English people are different in many particulars. In this country, the temperament of most persons appears less excitable, and more sedate; they are usually very obedient to law and order, although real freemen; besides being oftener submissive to the control of public opinion, and under the guidance of leaders in whose judgment, honesty, and experience they repose confidence. Such are the natural characteristics of most Englishmen when in health, and which seem even to influence their ordinary conduct although insane; whereby they become more readily obedient to superior authority. Beyond the opposite shores of "La Manche," matters have generally a very different aspect. Endowed by nature with much more

excitable temperaments and vivid imaginations, being less willing to obey law, excepting through the strong arm of power, having more confidence in their own individual superiority, than willingness to place themselves under the guidance of other men, or submit to external control, the natives of France do, when labouring under mental derangement, frequently show that such motive springs of action still predominate. To my mind, at least, it has hence appeared as if sufficient importance was not always assigned, by foreign observers, to the difficulties now described, but against which French medical practitioners have very frequently to contend, during the treatment of excited maniacs. Consequently, when recording the greater application of personal mechanical coercion in that country, critics ought never to forget the above manifest discrepancy of character, which distinguish the respective nations. On that account, greater credit is really due to MM. Girard, Dagonet, and Morel, for the very successful efforts they have recently made in promoting the non-restraint system. Like the learned Baglivi, when alluding to the diseases of Rome, a Frenchman may justly say, in reference to the camisole, which is still too often applied by his countrymen, 'Scribo in aere romano.'

The greater liability of one sex to insanity more than the other, has lately occupied considerable attention, both in this country and on the continent. From official data recorded in a previous page, it has been shown that, throughout several districts of France male lunatics were most numerous. Since geographical position would seem to exert considerable influence respecting this question, I have been induced to construct the subjoined table, which includes four lunatic asylums in the northern departments, so as to contrast the results thus recorded, with four similar institutions belonging to the central provinces, although some were, however, visited during my previous excursion, published in a former volume of the "Psychological Journal."

Table illustrating the liability of the two sexes to Insanity in Northern and Central France.

NORTHERN FRANCE.				CENTRAL FRANCE.			
Asylum.	M.	F.	Total.	Asylum.	M.	F.	Total.
Armentières . . .	496	—	496	Nantes	181	210	391
Lille	—	335	335	St. Gemmes . . .	161	179	340
Fains	186	155	341	Orleans	246	275	521
Maréville	471	405	876	Dijon	101	153	254
	1153*	895	2049		689	817†	1506

From the above statements, there cannot remain any doubts respecting the greater tendency of females to be attacked by mental disease, in the central than northern departments; where an opposite result generally obtains. The larger number of insane females under treatment, compared with male lunatics, at the public establishments of Charenton, Bicêtre, and the Salpêtrière, also indicates the same peculiarity prevails in Paris. Thus, on the 1st of last January, the total number of male lunatics in the two former asylums, and at the succursal farm of St. Anne, were 1,082; contradistinguished to 1543 insane females under treatment, at the same date, in Charenton and the Salpêtrière; thereby showing an excess of 461 patients amongst the latter sex, or 42·60 per

* Giving an excess of 258 males, or 28·22 per cent.

† Giving an excess of 128 females, or 16·04 per cent.

cent throughout the department of the Seine. Such result being nearly similar to the observation recently made in the British metropolis, where, female lunatics likewise predominate considerably.

Political and religious excitement, or important questions which intensely occupy public attention often produce, it is well known, marked impressions upon the minds of large classes of people; consequently, it cannot seem surprising, should the susceptible organizations of certain individuals suffer during popular commotions. At the period of the crusades and great Reformation, during the first French republic, or subsequent wars in Italy and on the Rhine, the truth of this observation was unequivocally demonstrated; especially in reference to the production of insanity. When the Emperor Napoleon upset dynasties, and overran Europe, imaginary kings and princes were numerous in the asylums of Germany and France, of which various examples have been recorded by authors; amongst whom may be cited Pinel, who states that, three Louis the Sixteenth maniacs were at the same period under treatment at Bicêtre. Again, during the recent revolution in France, similar results have been observed in reference to the origin of mental disease; and I may mention that, in several asylums, imaginary *Préfets*, self-styled representatives, and other fictitious high personages, who had lost their senses during the late political disturbances, were met with amongst the inmates. At one institution described in previous pages, there recently existed three maniacs who believed themselves to be Louis Napoleons, and consequently all presidents of the Republic. In another institution, one ideal Louis Napoleon, was also under treatment; whilst candidates for the presidential chair, or seats in the legislature, and others who believed they occupied official appointments—each poor creature being insane upon a particular subject—were occupants of departmental asylums. These facts are instructive, and shew, wherever the population of a country become excited by exalted predominant ideas, especially amongst persons predisposed to insanity, and otherwise of weak nervous organization, they will, most likely, suffer from the influence of such causes, which have been occasionally considered by some philosophical observers, as a mental epidemic.

Although it was not originally proposed in the present remarks to discuss the medical treatment usually pursued at French asylums, one point seems, however, of so much importance that, it deserves some notice in these pages; particularly, as great unanimity of opinion prevails amongst the physicians of departmental institutions, with whom I had an opportunity of conversing upon the question. I now refer to employing blood-letting as a remedy, in cases of insanity. Without an exception, every practitioner was decidedly opposed to the general abstraction of blood in maniacal patients; as they considered it not only unnecessary, but often highly injurious. In many cases, venesection produced so much subsequent depression, that attacks of mania, which otherwise might have been of short duration, under a different, but more judicious mode of treatment, were thereby prolonged, and even ended in fatuity. Numerous examples were pointed out, during my recent and former visits, of insane patients being bled previous to their admission into asylums, but who, instead of losing blood, ought rather to have been better nourished, in order to restore their physical strength, besides having tonic remedies prescribed to counteract the existing nervous debility, which produced their delirium, and consequent excitement. Of course, particular instances of insanity presented themselves where inflammatory symptoms appeared so decided, or in which apoplectic congestion existed to such an extent that, local or general abstraction of blood was then absolutely necessary; nevertheless, these examples were exceptional, and only confirmed still further the observations made by the most experienced medical officers of French asylums, respecting the baneful consequences of blood-letting, in most cases of mental disease, which came under their cogni-

sance. Indeed, one gentleman remarked, "the delirium of insane patients was never modified by frequent and copious bleedings, but often the reverse."

Being supported in these practical conclusions, by the opinions of many English physicians, it cannot be too strongly impressed upon the minds of young practitioners, or of those who may not have had much experience in treating cases of insanity, to be always exceedingly chary of using the lancet, as blood once abstracted, cannot be speedily replaced; while the depression thus produced upon the system is not temporary, but often very permanent, and hence highly detrimental. Where blood-letting is thought necessary, tartar emetic will frequently prove in a higher degree advantageous; seeing the debility thereby produced, and its peculiar action upon the patient's frame soon cease, whenever the remedy is discontinued. This preparation of antimony is also very useful in both apparently and really inflammatory cases of mania, affecting strong muscular or plethoric patients; and I firmly believe, if tartar emetic was oftener used, instead of abstracting blood, the results would be much more satisfactory.

ADMINISTRATION OF DEPARTMENTAL ASYLUMS IN FRANCE.

Considering it will be esteemed interesting to English readers of these notes, if some details respecting the executive, and mode of administering public lunatic institutions in France, as now generally pursued, were added to previous observations, I have been induced to make inquiries on such subjects; in order to point out several evident defects in the present system, although at the same time various matters deserve marked commendation. Should my subsequent observations be ever noticed by French authorities, they must be taken merely as the independent, but well-meant criticisms of an Englishman anxious to correct proceedings which he thought defective; especially, in reference to the position of professional gentlemen attached to these institutions, who, speaking from frequent personal interviews, are truly a most meritorious class of officers, and through whose continued exertions, many of the public lunatic asylums of France have chiefly attained the prominent position they now occupy in Europe. Nay, I sincerely think, were these devoted public servants more liberally remunerated, possessed greater executive power, and were less trammelled by local functionaries—sometimes wholly ignorant of insanity—the afflicted patients committed to their medical surveillance would be materially benefited.

Without including such institutions as Clermont, which is private property, or Bon Sauveur, at Caen—belonging to a religious body—whereby large sums are realised from lunatic persons placed in similar establishments, there are at present forty departmental asylums throughout France, appropriated for the reception and treatment of insane patients. Some of these public receptacles have been constructed since the new laws respecting lunacy were passed in June, 1838; although a considerable number were formerly civil hospitals, mendicity depôts, ancient convents, and even military barracks, which had been, more or less appropriately, altered for receiving lunatics. Upwards of half the existing asylums are situated in or quite close to the capital of its own department; others in the chief town of an arrondissement; some even in a cantonal village; whilst a very few are located in rural districts. These institutions are departmental property, having been purchased or constructed at the public expense: and their annual revenue consists almost solely of the payments received from different communes, or other parties, for the maintenance of and treatment of lunatics there resident: which allowance, in the case of indigent patients, amounts, upon an average, to one franc per diem. Private patients, however, pay much higher sums, as already frequently stated in the previous narrative.

The lay administration of public asylums consists of one resident director, who receives a fixed annual salary. He is assisted by the committee of sur-

veillance, which comprise five members; the latter, however, give their services gratuitously. In twenty institutions amongst the forty now enumerated, the chief physician also fills the office of director; and this arrangement is considered judicious, whenever the total patients do not exceed 350 or 400 inmates. At many establishments there is a receiver and steward; but in some instances both these offices are united, similar to the physician-directors. Such an union seems, however, highly objectionable, and it is even said, has been occasionally productive of serious abuses. The Minister of the Interior appoints every director, physician, receiver, and steward, besides the committee of management; and all internes, excepting in cases where the budget of expenses does not exceed 100,000 francs: under which circumstances, the *préfet* of the department nominates. The almoner is always elected by the bishop of the diocese, and he must reside in the asylum. In a number of institutions religious sisters, assisted by laical servants, superintend the laundry, kitchen, dormitories, and even the pharmaceutical department; although there are various asylums without any sisters of charity, all the domestics being then of the ordinary description.

According to these statements—obtained from an authentic source—it therefore appears, that the personal staff of a lunatic institution varies considerably, and hence it would prove very difficult to introduce everywhere any uniform system, which has, it is said, occupied the serious attention of government during the last twelve years; notwithstanding this fact, parties are disposed to believe, even if uniformity were more generally introduced, the plan would not long continue.

With such an organization as now described, besides the heterogeneous elements often composing local authorities, conflicts of interests or opinions frequently become inevitable, and have therefore unfortunately occurred at several establishments. Even instances might be cited where, from the first opening of the asylum, now eight or ten years, a kind of domestic warfare has constantly prevailed. Resignations, changes, and even dismissals, have supervened in asylums disturbed by such feuds; so that, nothing is often so uncertain, as the position of a medical officer. Seeing the modern treatment of insanity does not consist solely in the administration of medicines: but to prove efficacious, constant attention must be also given to patients during the hours of work, at meals, and in their recreations—nay, even during sleep,—these important questions a non-medical superior officer cannot comprehend. Consequently, in order to prevent misunderstandings, and likewise that the executive of large lunatic establishments, may act harmoniously: it has become the practice of recent years to appoint medical men to the office of director, who are hence able to understand, besides their own administrative duties, questions of hygiene, and those ameliorations which may be proposed by the attending physicians. This plan has been advantageously adopted at Maréville, where Dr. Renaudin is now director, having been formerly the chief physician of another asylum: and also at Saint-Yon, near Rouen, in the person of Dr. De Boutteville, who was recently attending physician of an asylum, but is now director of that extensive establishment. In both instances the alteration thus effected has proved highly beneficial.

Although, in many respects, useful officials at lunatic asylums, the religious sisters, and even the almoners, are occasionally carried away by too great zeal, which leads them injudiciously to interfere with the physicians' proper professional duties. In some cases, images, pious books with engravings, beads, scapularies, and so forth, are improperly given to patients, without the medical attendant's knowledge, whereby injurious excitement may be produced, especially when the lunatic is affected with religious delirium. Should the physician forbid such proceedings, the cry of impiety is raised, and even quarrels ensue. Sometimes also the effects of religious exercises are exaggerated, and improper interference made to promote their continuance, which proves equally hurtful.

Being members of a body who have interests and inclinations beyond the asylum, and are often actuated by a desire to support the privileges of their order, some religious sisters hence become like persons serving two masters—the one worldly, the other of a more sacred character. This feeling tends to inconvenience, and may induce such parties to endeavour to counteract the chief authority, of which the following example will supply an apt illustration. Some years ago a new director was appointed to an important asylum. When on his way to take possession of office, he first paid a visit to an old friend residing at a neighbouring town, where he happened to meet the superior sister of charity attached to the establishment in question. The host having purposely avoided introducing the new director and superior to each other by any official designations; they consequently were ignorant of their respective positions; at the same time, however, he led the conversation, so that the asylum and its management soon came under discussion. Amongst other remarks, the lady naively said, "*Apropos*, a new director is expected; but we shall continue to keep the upper hand, as they say he is a mere man of straw." Subsequently, when they became better acquainted, this speaker was undeceived, as the director—an energetic officer—soon got rid of her manœuvres, as also of others similarly disposed, although the disagreement thus created only terminated by his accepting another appointment. This anecdote—quoted on good authority—shows how the system sometimes works injuriously. However, the worthy sisters are frequently meritorious assistants in public establishments, and often do much good; nevertheless, it seems undesirable they should be connected with any power acting externally, or, as it were, behind the throne, that being detrimental to true discipline, essential in every lunatic institution. To my mind, all the sisters of charity, or upper attendants, should be like those at the Auxerre asylum, where they do not belong to any religious corporation out of doors, but are entirely amenable to the resident authorities. This had the happiest results, since matters proceeded much more amicably; whilst there was no restraint at that institution.

Disagreements also arise betwixt the executive and the committee of surveillance, owing to the dislike provincial powers generally entertain against centralization. For example, the director or physician appointed by the Minister is often a young man without much status or fortune, and frequently a perfect stranger to the place, or even altogether unknown in the department. He arrives, and takes possession of a post where he has often no friends, or persons likely to give him support, in the performance of often arduous duties. Being thus circumstanced, and perhaps occupying a situation which was much coveted by the protégée or relative of some person having considerable local influence, he receives the reverse of a warm reception; and instances are even upon record, where councils-general have printed in the official report of their proceedings that, they accepted the appointment of M. X—as —, only in consequence of his having been imposed upon the department by central authority. To indicate the annoyance which the superior officers of asylums sometimes endure from such refractory powers, I may mention that the very day of my arrival at Nancy, previous to visiting Maréville, the council-general of the Meurthe—then in deliberation—refused to allow 600 francs for the salary of a third interne, recently appointed by the Minister, although his services were absolutely required in an asylum having 876 patients. However, the young official cannot ultimately lose his allowance, seeing he held the appointment under government, and would receive the amount due by an order of the Minister, which must be obeyed!

The committee of management is usually composed of rich proprietors in the neighbourhood, of members belonging to the council-general, judges of the Court of Appeal, attorney-generals, and other high functionaries, who frequently wish to govern everything, or to act independently of the directing authority. The receiver-steward is almost always a native of the department, and he

generally looks to the committee of surveillance as sole superior, or masters; who in turn favour his pretensions, so that he becomes a very independent, if not often the most influential personage in the asylum. Hence, he is apt to interfere in the director's department, or even with the resident physician. Such results are not uncommon; and in ten establishments which could be enumerated, it is stated, eight have become the arena of similar unpleasant dissensions. When these disputes attain to any height, the Préfet is sure to receive complaints, or confidential communications, and then voluminous reports follow. In short, the household being divided, the Préfet becomes mystified as to who is in the wrong, which proves always detrimental to the director or physician's position and authority. Sometimes he sternly turns a deaf ear to these intrigues, or honestly seeks to know the truth. Being, however, often surrounded, or earwigged by influential parties in the locality, who anxiously wish to get rid of the foreign official, he becomes constrained to interfere, and at last applies to the Minister to remove the obnoxious functionary. Occasionally, the persecuted party ends the matter by resigning, and retires to private practice. In other cases it has occurred that the Minister, justly annoyed by such references, decidedly supports his nominee against the manoeuvres of provincial schemers, and will neither remove the officer complained against, nor separate the functions of physician and director when united; which frequently forms a bone of contention amongst conflicting powers.

As examples are better than assertions, I will relate two illustrations which actually occurred. In a certain asylum, whose name it is unnecessary to mention, the committee of surveillance, the receiver-steward, and sisters of charity, having obliged the physician-director to resign, the council general of the department, amongst whom there happened to be one or two members of the managing committee, petitioned the minister to separate the duties of director from those of the physician, saying this alteration would end all disputes, and be otherwise useful to the establishment. The minister having yielded, he nominated a director from a distant part of France, and a new physician also, from another locality. Nevertheless, peace was not obtained, as discussions immediately arose with both functionaries. The committee determined not to be out-generalled, prepared a code of regulations, without consulting the new physician, which was afterwards submitted for the minister's approbation; but this was refused. A member of the council, who also had a seat in the legislative assembly, then undertook to arrange matters, and accordingly set off to Paris for that purpose. However, on arriving at the bureau of the Interior, he learned that the committee of surveillance of the asylum was dissolved, and that the Préfet had been ordered by the minister to present a fresh list of members to government for approval. At another asylum, where already two director-physicians had been obliged to yield to powerful local coteries, the same parties even attempted to dislodge a third occupant of the joint appointments, by demanding a separation of offices. The Préfet being constrained, brought the question before the departmental council general, in order to make an impression upon the minister, and so induce him more readily to comply. The matter came under discussion; but although a member stated at this meeting that, the ministerial circular opposed any division of these two offices, unless the patients exceeded 300 in number, and notwithstanding there was no residence for another officer, which the ordonnances required, the vote for a separation was nevertheless carried, and afterwards transmitted to headquarters. It proved perfectly nugatory, as the minister paid no attention to their recommendation.

Centralization, however productive of various benefits, still, in the opinion of some intelligent medical men, often wants unity of march, and sometimes energy in its measures; consequently, such parties believe that numerous asylums in France are not so perfect as they might be made, were official intrigues less frequent and influential. A friend who knows the subject

well, and takes great interest in the management of asylums, when alluding to the defects of several institutions, thus remarked, "At one place the patients are well fed, but badly clothed; while, in another asylum, they have no variety or amusement. Musical entertainments, promenades, gymnastics, and literary occupations, are too often deficient. In some institutions the occupations of patients are not sufficiently organized; and often the patients who work are not properly encouraged, or receive any gratification for the labour performed. As a consequence of this mode of proceeding, no savings become realized, and the inmates suffer in various ways; whilst the under servants, being often interested in the disputes amongst their superiors, disorder and insubordination supervene." To remedy existing defects, some parties have suggested considerable modification, if not the total abolition of councils of surveillance, seeing many institutions have no fixed property to administer; besides which, as the *Préfet*, sub-*préfets*, attorney-generals, mayors, presidents of the court of appeal, and of inferior tribunals, as also both inspectors-general, have their eyes constantly upon departmental asylums, the committee in many cases becomes superfluous. Where such a body is considered necessary, it should always consist of practical members accustomed to business. Some should be certainly medical men, although at present—and singular enough—they are nearly always excluded. Architects, merchants, and persons in trade like the former, are also rarely appointed.

Without disparaging present functionaries, none are better qualified for investigating hygienic improvements, renovating old, and deciding upon new constructions, or for inspecting the stores supplied, and seeing the provisions consumed were of good quality, without being overcharged, than the individuals just named, who would be far better superintendents than parties otherwise constituted. In the opinion of another intelligent friend, many of the existing evils would be in a great part remedied, were the official allowances and salary more under ministerial control, besides being at the same time susceptible of advancement. The authority now quoted further says, "The directors, physicians, stewards, and receivers, according to their respective merits, and the duration of service, should pass from inferior establishments to those of higher importance, with increased remuneration. This plan would put an end to various intrigues, and prevent locally connected stewards or receivers from obtaining too much influence, to the detriment of directors and physicians; who, from being often strangers to the locality, are consequently sacrificed. Such changes in the system pursued are indispensable, in order to elevate and improve the administration at present pursued in various asylums; whereby, some have hitherto failed in regard to regularity, dignity, and philanthropy." Similar sentiments are also entertained by other individuals; and, conceiving it might prove advantageous, I have given their opinions a place in these notes; trusting the remarks now made may induce those who have official power, to correct whatever is still defective in a system which certainly possesses many advantages, and has already effected much good to the lunatic population, throughout most parts of France.

As some readers may not be altogether cognizant of the formalities required, when it becomes necessary to place lunatics in an asylum, before concluding my observations on these establishments, I would remark that, the certificate of only one medical practitioner is demanded. Which, however, must be accompanied, if for a private person, by a petition from a near relative, authorizing the party's reception; but, if otherwise situated, an order from the *Préfet* must be procured prior to the patient's admission. Within twenty-four hours after the lunatic's arrival at an asylum, the resident physician must make a report to the *préfecture*, containing the chief symptoms of the patient's disease, which he is required to repeat in a more minute manner fourteen days afterwards, as likewise every six months during the inmate's residence. When an insane pensioner is placed by a relative, he may be removed at any

time by the same party; but where the case was admitted "d'office," as it is called, the Préfet's permission is then necessary, previous to removal, even where the disease has been cured; but in every instance, whether a private patient or otherwise, if considered dangerous by the physician, none can leave the institution, without the Préfet's express order to that effect. By these regulations, whilst the lunatic is properly taken care of, and cannot be confined longer than the nature of the case warrants, society is also protected against demented persons, who might cause injury to others or themselves.

In consequence of large sums being annually received from private patients under treatment in several departmental asylums, these items often form a very important portion of the ordinary revenue. For instance, at Auxerre, 43,550 francs were obtained during 1850, from this source; and at Maréville, the amount paid by the pensioners, in that year, was 56,837 francs. The profit derived, in this manner, is applied towards improving the respective institutions; and at Maréville, many of the recent alterations have been defrayed by the savings thereby effected. At present, most of the public insane establishments of France are both institutions for indigent lunatics, and "maisons de santé" for members of the upper classes. This arrangement prevails, no doubt, in several asylums of England, but especially in those of Scotland, and proves often advantageous to all parties; although, amongst our neighbours, the medical officers are much more liberally treated in regard to remuneration received, for the onerous duties thus imposed upon them by the authorities, in attending ladies and gentlemen, at the same time with pauper patients. If the great reputation of Dr. Girard or Dr. Morel, brings many private patients to the institutions of Auxerre or Maréville; whilst the experience of Dr. Bouchet induces rich persons to place their insane relatives under his care, at the Nantes public asylum, the government ought, on that account, in common justice, to grant additional allowances; especially, as throughout every departmental lunatic establishment of France, the medical officers receive inadequate salaries, even where they are, at the same time both director and physician. Taking into account the very responsible position in which physicians of that description are placed, the arduous labour they have to perform, and the large revenues often obtained through their professional skill and knowledge, whilst each are debarred from all private practice, it is mistaken economy, if not great injustice, to pay many of these eminent gentlemen with only three or four thousand francs per annum. Such parsimony is wrong. And should these remarks ever come under the notice of French authorities—whether departmental or belonging to government—as an impartial foreigner, I would strongly impress upon their special attention, the propriety of making some change in this respect; but particularly to take into account the prolonged services of various medical officers in departmental asylums, by whose exertions several institutions have attained the deservedly high position they at present occupy, and to whom much of their actual prosperity may be justly ascribed.

Amongst numerous features usually noticed at the establishments under discussion, and which merit decided approval, none is more beneficial than the appointment of internes to reside in such asylums.

Besides being an excellent practical school—where future practitioners can obtain most important knowledge and experience respecting mental diseases—these junior medical officers become in many ways useful to the physicians, and beneficial to the patients. Having alluded especially to this subject in my former notes, it appears almost unnecessary again to investigate the question, further than briefly to remark that, no public establishment for the insane ought ever to be without resident medical pupils, more or less numerous, according to circumstances. In every case, where internes were attached to French asylums, invariably the duties then seemed performed with greater regularity, and the patients received better attention; whilst the case-books—to say nothing of minor details—

were more accurately kept than otherwise. Upon no point was the utility of internes so remarkably shewn, as in reference to the diminution of personal restraint, amongst the inmates of particular institutions. Wherever an asylum had no resident pupils, as part of its medical staff, camisoles were much more frequently in requisition. Take as examples, Bon Sauveur, having eighteen patients so confined; or St. Gemmes, which had twenty-seven residents in strait-waistcoats, and Orleans, where twenty-five inmates were also personally restrained. To none of these asylums—described in my former notes—were any internes appointed. Again, amongst the institutions alluded to in previous pages, in which these useful pupil-officers formed no part of the establishment, mechanical coercion was uniformly much more frequent, than at asylums otherwise constituted. Thus, at Armentières, fifteen patients were in confinement; and at Lille—also without internes, I saw twenty-eight inmates bound by camisoles. Whereas, at Auxerre, no individual whatever had a strait-waistcoat, and only one patient was so treated at Stéphanfeld; both the latter institutions having, it should be always remembered, intelligent internes. I am therefore so thoroughly convinced respecting the great importance of similar assistants in every lunatic asylum that, none ought ever to be without one or more of these officials. As well might general hospitals be deprived of house-surgeons, clinical clerks, or dressers. All being, as every person knows, not only most advantageous appointments to the youngmen so employed, but likewise producing great benefit to the patients generally. Uniform observation, throughout France, shews the marked utility of internes; hence, every English asylum should adopt a system which comes recommended by the best of arguments—well-established experience.

CONCLUSION.

Previous to drawing these general remarks regarding French asylums for the insane to a close, I would observe that, since my recent inspection—described in the preceding pages—an important alteration, in reference to the appointment of physicians to these establishments has very lately been made by the present government, which merits, at least, a passing notice; since it has already created considerable sensation amongst the profession, “d’outre mer,” and may eventually produce important consequences, in regard to the treatment of lunatics consigned to departmental institutions. Instead of being nominated, as heretofore by the Minister of the Interior, all medical officers of insane asylums will be appointed in future by the Préfet, who is also empowered to settle their salary and allowances. Under the former régime, those gentlemen who had specially studied mental diseases at Paris or elsewhere, were almost invariably selected by the central authorities, devoid of any local interest; whilst the zeal or ability they manifested, in the discharge of their professional duties, often insured an advancement to more lucrative or important situations, as the reward of continued services. According to the new regulations, it is feared, on the contrary, if physicians of asylums are not only appointed, but placed solely under the Préfet’s control, their administrative functions and professional influence will be materially curtailed by these local dignitaries, which may become detrimental to patients, besides diminishing the medical officer’s prospect of ever being translated to another establishment, and so obtaining a larger salary with additional attributions.

Writers of eminence in France, besides anticipating the consequences now shadowed forth, likewise think the new decree of the 25th of March, 1852, by which every new medical officer of asylums is made the absolute nominee of “Monsieur le préfet,” will, amongst other evils, resuscitate the almost forgotten feuds, formerly too prevalent betwixt the medical attendants of lunatic establishments and religious corporations. An able practical authority, in every question respecting insanity and its treatment—Dr. De Boismont—says, when discussing this subject in a recent publication, “Tout partisan que nous sommes de leur adjonction aux asiles d’aliénés (meaning priests and sisters

of charity) nous avouons que, quand les attributions ne sont pas suffisamment délimitées, les corps religieux ont une tendance à s'emparer de la direction de l'administration. Cette remarque a d'autant plus de force, que plusieurs aumôniers n'ont pas hésité à dire que, le traitement des aliénés devait être exclusivement religieux et moral. Cette opinion est une véritable hérésie." Trusting the gloomy anticipations which some have prognosticated, respecting the future administration of departmental institutions for the insane, may prove erroneous; it must be acknowledged, although centralization in many other matters paralyzes individual exertion, and often becomes injurious; nevertheless, it has conferred incalculable benefits upon the lunatic population of France; and that every year, since the law of 1838 was promulgated, important ameliorations have been introduced into provincial establishments, through the medical officers, aided by central power; whilst ancient prejudices are now much more rare; and thousands of unfortunate lunatics have received, as it were, a new life, often rendered more comfortable from improved treatment combined with humane protection. The proposed changes will likely become very disastrous, should the independent authority of the inspectors-general be at all infringed, either in regard to visiting provincial asylums, or in sanctioning and suggesting farther improvements; more especially, since it has been mainly owing to the supervision and controlling influence of these high official gentlemen that, unity of action is now happily established throughout numerous institutions, the zeal of local functionaries excited, merit encouraged and ultimately rewarded, by promoting the most efficient medical officers to other appointments; where they receive better remuneration, besides being placed in a higher public position.

Although not strictly appertaining to lunatic asylums, still, another innovation, which materially affects the profession, deserves being also mentioned; since it shows other organic changes have been made by parties now in power, regarding various responsible offices occupied by physicians. I here allude to the great alteration very recently decreed in reference to supplying future vacancies, amongst professors at universities and colleges, whether medical or otherwise. Henceforth, instead of obtaining those appointments by "concours" amongst competitors, when any chair becomes void, the Minister of public instruction proposes a doctor of medicine who is thirty years of age to the Prince president for election, if the vacant office belongs to the medical department. The minister may, however, select another person from a double list of candidates which is demanded from the faculty where the vacancy occurs; but this proceeding being a mere formality, the choice rests entirely with government. Farther, as Louis Napoleon at present constitutes the chief executive, and of course commands ministers to yield obedience, that autocrat or his satellites will consequently engross the whole patronage. The effect of such regulations can be easily foretold; while they must, doubtless, very seriously influence professional independence, which ought ever to characterise men of science and education.

MENTAL DYNAMICS, IN RELATION TO THE SCIENCE OF MEDICINE.

A COURSE OF LECTURES DELIVERED BY M. LORDAT, PROFESSOR OF PHYSIOLOGY IN THE UNIVERSITY OF MONTPELLIER. ARRANGED AND TRANSLATED BY STANHOPE TEMPLEMAN SPEER, M.D., CHELTENHAM.

LECTURE I.

A REMARKABLE contrast exists between the rival schools of Paris and Montpellier, in their mutual appreciation and explanation of what I denominate the "principle of intelligence." It is but a few years, since the heads of the profession in the capital of France knew nought of the nature of man but what was to be found in bodies submitted to inspection after death. Convinced that our existence was but a matter of tissues and systems, they persisted in investigating the science of medicine by a close attention to the condition of the corporeal organs.

Such a belief, however, has been but of comparatively short duration. Their want of success in the above mode of prosecuting so important a research; their inability to reconcile certain well-founded precepts in therapeutics, with anatomical rules; the variability of their doctrines contrasted with that of a school which advances, slowly indeed, but surely; all these, I repeat, have at length led them to the conclusion, that they have chosen a wrong path.

The press of the French capital affords us a striking example of the difficulty then experienced in founding an anthropology capable of forming a sound basis for the science of medicine. The materialists readily perceive the difficulty of solving the intricate problem, of which man, in his fullest sense, is a personification. They admit that anatomy, physics, chemistry, and mathematics, fail to give an idea of the human dynamism.

It is something to have allowed that man is not formed solely of materials appreciable by chemistry and physics. The conviction of an error is the first step towards its repudiation. But more than this is requisite, to elevate the art of medicine to the dignity of a science. The compass hitherto trusted to, has been cast aside, without another being at hand to steer by. It would appear, indeed, that the school of which I have just spoken, does not possess any scientific method capable of being successfully opposed to that, for instance, which is familiar to the pupils of this university.

In a discourse lately emanating from the press of the capital, the orator, after acknowledging the insufficiency of physical science in explaining the phenomena which occur in the living body, takes refuge in uncertainty, rather than have recourse to any other method of investigation. He thus expresses himself:—"To the chemical theories of the present day, which outrun the actual discoveries made by the science itself, must we oppose the abstractions of vitalism, which merely forges a physiology independent of organs, and even then accords it but an accessory importance?"

Now it appears to me, that this sentiment may be taken as the expression of scientific opinion among the medical observers of this country; and it indicates, first, a complete forgetfulness of the philosophy of Bacon, of so much importance in its application to medicine; and secondly, an ignorance of the real and essential nature of vitalism, one of whose chief characteristics is to examine, with the same zeal and the same unbiassed judgment, causes, some of which are appreciable by the senses while others are invisible; so that, with us, the whole of man's nature is equally deserving of inquiry—we see in it nothing accessory.

Now this forgetfulness of the rules of philosophy, as laid down by Bacon,

or the inability to carry them out in practice, would appear to be the principal cause of this uncertain stagnation in medical opinion. Materialism, once in such favour, has been now abjured as an absurdity. Ashamed of being made the dupes of physical theories, relative to the principles of life and intelligence, its votaries no longer repose confidence in it.

To remedy this, the simplest plan would appear to be a return to the doctrines of Hippocrates, so rashly cast aside about the middle of the seventeenth century.

On a former occasion, I spoke of the disorder occurring in the world of medical opinion, at the time of the Cartesian revolution; and you must be well aware, that in all cases of commotion, order is seldom re-established without some injury having taken place. It is indeed difficult for the mind, freed from its previous shackles, to avoid abusing its newly-found liberty. In cursing the prejudices by which it had been hampered, how many truths may it not entangle in the proscribed objects of its hatred. Hippocrates had laid it down that man was a combination of three causes; the first, an aggregate material; the second, a principle of intelligence, incommensurable with such an aggregate; the third, a vital force, which is neither the one nor the other, and is to be appreciated solely by its effects. Now this distinction, so long upheld, was at length abolished upon the authority of Descartes, and ere long, the science of human metaphysics experienced the ill effects of his teachings; it first underwent mutilation; was then attacked, scouted, and ridiculed; and of medical science there was soon left but anatomy and surgery.

We have seen, however, that this state of things did not, and could not last, and that a return to the science of metaphysics became inevitably necessary. Why, however, was this science, as taught by Hippocrates, so studiously shunned? I may be allowed to explain it in the following manner.

The Hippocratic doctrine, so admirably inculcated and practised in Paris, by Bailliou, at the time of the Cartesian secession, was rather too rudimentary, and at the present day, more especially, bears too strongly a gothic origin to be at all presentable. There exists, however, a modification of it, that has gradually expanded, coterminously with the advance of civilization, has taken proper cognizance of every discovery, and has armed itself with all the varied weapons that have ever and anon been directed to its annihilation; but its most enthusiastic champions happen to belong to that school which the admirers of Cabanis, Bichat, and Broussais have long spurned and insulted, and which they now regard with sullen dislike.

Be this, however, as it may, let us take some examples to prove that many of the most inveterate materialists have at length recognised and acknowledged the reality of causes of a metaphysical nature, the duality of which, however, they still deny.

At a meeting of the Academy of Sciences, one of the physicians of the Salpêtrière, M. Lelut, allowed the inability of morbid anatomy to throw light upon the theory of mental affections, and openly confessed that the various diseases coming more especially under his own observation, and the theory of which it was a duty to solve, were under the influence of certain invisible causes, totally irrespective of organs; he likewise declared that a necessity existed for seeking some metaphysical explanation of such phenomena. After reading his oration, however, it is easy to see that the author is a spiritualist of the Cartesian school. The principle of intelligence is, in his eyes, a speciality incompatible with matter; and as regards that vital force which, while unconscious of itself, possesses, nevertheless, a unity and activity of its own, and which presides over the development of the body, and preserves it from a thousand disturbing influences—with regard to this force, I repeat, he entertains a hope that it may yet be explained by a reference to physical laws, whenever anatomy and microscopy shall have taught us the secret of the union of the different nervous fibres. All that Stahl has ever urged against the possibility of such a disclosure, would appear, with M. Lelut, to be as nought.

Again, M. Collineau, in his "*Analyse Physiologique de l'Entendement Humain*," raises his voice not only against psychological materialism, but against vital mechanism likewise. Unfortunately he appears to have misunderstood the duality of the human dynamism, and to have adopted that bastard description of Stahlism, still adhered to by a few, who, while acknowledging the absurdity of materialism and the necessity of a cause of metaphysical origin, will not allow, with Stahl, that life is the expression of a spiritual entity, which deteriorates as we descend in the scale of the organic world, from man down to the lowest extremity of this domain; but assert that the principle of life is the radical base and essence of every living thing, and that human intelligence is but a high degree of this very principle. Upon this hypothesis is the work of Collineau based, and it is but a reversed form of animism, applicable in case of necessity to organicism on the one hand, and to Hylosism, or materialism proper, on the other.

I might adduce additional examples to show that many of our Parisian brethren have renounced the doctrines of materialism, and have recognised the existence of a human dynamism, based on metaphysical doctrines; unfortunately, this laudable confession has led to no results, having become a mere hypothesis, simply from an obstinate determination to include under one and the same cause, two series of phenomena which common sense alone would suffice to separate. I mean by this, that the distinction between the two actually existing order of causes is regarded in the light of an hypothesis or opinion.

But the duality of the human dynamism is not an opinion; it is a fact deduced from daily experience. Inductive philosophy forbids us to say that the vital force and the principle of intelligence are of one and the same nature. Of the importance of this truth you will, I am sure, be persuaded, when you learn that it is the base of the genuine Hippocratic medicine.

In proportion, then, as this doctrine is neglected, do I consider it imperative to bring it before the mind of my hearers, and I purpose devoting a portion of the present course to its elucidation.

The term life, as understood by naturalists, is a temporary phenomenon, consisting in the formation, growth, degradation, and dissolution of a certain mixed aggregate. In this we must distinguish the material element which falls under the cognizance of our senses, and a mysterious dynamism, constituting the active agent in the production of vital phenomena.

This aggregate and its vivifying influence commence by a point of origin scarcely appreciable. They increase progressively up to a certain epoch, say forty years; the acting force then decreases, by a gradation similar to that which marked its previous augmentation; and the aggregate material undergoes a simultaneous degradation.

After a certain period of time, this same vital force finds itself on a level with its primary origin, and shortly afterwards becomes extinct. The material aggregate has not been destroyed, but from the first moment of its deterioration it has imbibed a tendency to decay. Endeavours may have been made to repair the ravages of time, but such conservative efforts have served but to ward off the inevitable termination. The tenement was still habitable when the vital force became extinct; and the material aggregate, no longer under any directing vivifying influence, was seized upon, disintegrated by the action of the elements, and its component parts dispersed. Thus, in a zoologic point of view, the life of man, like that of many animals, presents two qualitative phenomena—a progressive increase, which we may designate youth, and a progressive decrease, denominated old age. The period which marks the cessation of increase or of youth, and the commencement of decrease or old age, is well deserving of a special denomination, which I shall borrow from one of the technicalities of astronomy. If, then, the creative power of life ascends, as it were, to a certain point, its meridian, it must culminate previous to descending; and when I shall speak of the vital force being actually at the culmi-

nating point, you will understand that I allude to that period at which, having attained its maximum of perfection, it is about to return to its pristine condition.

If, now, we turn from this view of the question, and look closely into the object of our present investigation, man; we perceive that this vital force, which is the author and promoter of all vital phenomena, and is at the same time unconscious of its own existence, undergoes a progressive increase, a culminating period, and a finally gradual declension . . . but that the principle of intelligence, self-existing, self-conscious, self-appreciable, and capable of ignoring the operations of the vital force . . . alike experiences a gradual increase, but not the culmination of this latter force, since it is not liable to a process of decay, but continues its onward progressive course.

The contrast thus manifested at so important a period of our existence, does it not indeed merit the most profound attention? If senescence be the appendage of a vital principle, and that, on the other hand, the intellectual principle be irrevocably exempt from it—such an immunity, would it not suffice to prove that the former of these processes was essentially of a nature different from that of its coadjutor?

Such, however, has not been the opinion of many ancient and modern writers; among the former we find Lucretius. . . . After premising that the principle of intelligence is an aggregate material, of a nature identical with that of the body in which it resides, he thus continues: "We see it originate simultaneously with the body, increase and grow old along with it. During infancy, a frail and feeble organism serves as the cradle for an equally feeble intelligence; age, in strengthening the limbs, ripens the intellect and increases the vigour of the mind. Lastly, when the influence of years has altered the form of the body, blunted its perceptions, and exhausted its powers, the judgment wavers, and the mind partakes of the uncertainty of the speech. In a word, all the springs of the machine give way in turn. Is it not, therefore, reasonable that the mind should undergo a like prostration, and end its career as smoke borne upon the wings of the wind, since we thus see it arise, increase, and finally succumb, beneath the pressure of accumulating years?" (Lucretius, *De Rerum Natura*, lib. iii.)

Another poet, Shakspeare, has reproduced the same idea in a manner by no means worthy of his great reputation. The description which he gives of the seventh age, and of its alleged characteristic, imbecility, I must take leave to say is false. Imbecility is not the result alone of old age, since it may supervene at any period of our existence; and even were it true that the decline of life is especially liable to it—a point upon which statistics are not as yet agreed—it is certainly not the fact, that one characteristic of old age is a reduction of the intellectual principle to the standard of the newly-born infant.

A philosopher of our own period, Jouffroy, in his "*Mélanges Philosophiques*," has likewise adopted a similar view of the decline of the intellectual principle, and its return to the infantile condition. "When," says he, "man attains a great age, he usually finishes where he began; that is, in the impersonal vitality which precedes during infancy the birth of the will, and hence the ordinary expression, that the old man has become a child—has entered his second childhood."

This assertion is then developed with considerable talent, without, however, any proof being adduced; of which, however, the author does not perceive the necessity—since the fact is, according to his opinion, a matter of observation, or, in other words, a popular persuasion.

It is against this persuasion that I raise my voice, and upon which I demand some more ample information. The formal intention of Epicurus and his followers, has been to disseminate a belief that the principle of intelligence is identical in nature with the body it inhabits; that the mind and the material aggregate, or body, are co-partners; that their operations are subject to the same vicissitudes, and that the development, the growth, the deterioration of

the different parts of this aggregate, are accurately imitated in the operations of the intellect. But an impartial method of daily observance will, I conceive, suffice to falsify and disprove that doctrine.

For this purpose, let us examine a certain number of individuals well stricken in years, and whose intellect has been thoroughly cultivated; let us listen to their avowals relative to their intellectual condition, and let us, at the same time, examine their actions. Let us not choose, however, one who, like Le Sage's Bishop of Grenada, after a succession of apoplectic fits, ended by deceiving himself relative to the consecutive infirmities he had experienced as their result. But we may take as an example a healthy sexagenarian, who after having thoroughly tested his intellectual and vital powers, honestly confesses what are actually the respective conditions of these two principles. To appreciate satisfactorily this species of observation, it should be conducted in such a manner as to enable us to verify the resulting declaration by the subsequent acts of the individual in question. The subject for such an observation has long been at hand, it remains but to examine it carefully. I allude to Bossuet. He possesses all the required desiderata, and we take his declaration, made during his sixtieth year; up to that period his life had been one, marked by laborious exertions of every description, and of his sincerity there can be but one opinion. The eighteen years of his life which succeed the epoch of which I speak, belong to the history of the human intellect.

The declaration to which I now refer is so well known, that there is perhaps not one of my auditors to whom it is not familiar. It forms the close of his oration over the body of the great Condé. It will be for us an easy matter to abstract, intellectually, all that pertains to the religious faith of the orator, and to confine our attention solely to the avowal he makes relative to his past, his present, and his future; you will remember that his peroration is a *prosopeia* addressed to the departed hero, and he thus expresses himself:—"You here assign a termination to these my funeral orations. Instead of deploring the death of others, I will learn of you, O mighty prince, to make my own holy. Happy, if warned by these grey hairs, of the account I must soon render of my stewardship, I may reserve for the flock, to whom it is my duty and mission to dispense the words of eternal life, the relics of a voice already quivering, of an ardour almost extinct."

This exordium, the effect of which upon the hearers of Bossuet is still to be seen in the admiration of his readers at the present day, we shall now endeavour to reduce to a simple expression of facts, divested of the flowers of oratory. Let us imagine for an instant, Bossuet communicating the same ideas in conversation with an intimate friend, without style, solemnity, or allegory, but in language dry and prosaic as that of the natural historian; candid as from brother to brother. Let us, then, attempt to paraphrase this group of ideas.

"My last discourse has now been pronounced. The success that has attended my efforts in the midst of the most illustrious of the world's assemblies, has depended as much on delivery as upon the sentiments uttered. But I have now lost the major part of those physical and vital qualities necessary for the production of such effects. Years have mutilated my corporeal qualifications, wrinkles have destroyed the play of my features, my eyes have lost their wonted fire, my voice and speech have become uncertain and quivering. I want words to express my ideas; and yet these ideas exist in all their perfection. Nay, since the period of my corporeal degradation, the mind has seemed to grow by a daily acquisition of new ideas. The more this frail body invites seclusion and care, the more does the principle of intelligence urge me forward to action. Happily, I adore the profession which I have so long cultivated, and I believe that my mission (which is that of diffusing its precepts) may still prove of service to the cause of morality. But I shall no more appear on the scene of so many former triumphs, upon which I can no longer expect to

elicit either pleasure or emotion. I shall continue, nevertheless, in a career which permits me still to instruct the world by improving science, and my parishioners, whom I love, by a communication of ideas delivered in a simple amicable style. In this way only may I hope to negative the growing inutility of the body, and to prove a source of benefit, as long as it remains above the sod."

This amplification, then, is it not, I ask, a true exposition of the sentiments and intentions of this great man? Not only does it interpret all the fundamental ideas contained in his discourse, but it recalls all that the actual expressions appeared to predict. Bossuet fulfilled indeed his promise. The great orator no longer appeared on the stage of the world, but in the exercise of his pastoral functions, and through the medium of the press. Though he ceased to address himself to the admiring ears and eyes of the multitude, he directed his remaining energies to the care of their immortal souls. Neither Paris nor the French court ever more heard his thrilling accents, but eighteen years of his subsequent existence were occupied in disseminating through the religious world a prodigious number of writings, books, memoirs, dissertations, exhortations, and warnings, the merit of which appears to have progressively increased; and the entire collection of which is now honourably deposited as an item in the principal trophy of our country's glory.

It was during this second period of his existence, that Bossuet was placed among the foremost rank of orators, historians, dialecticians, philosophers, and fathers of the church.

Choose we any topic of a serious nature upon which to fix our attention, and we find in his writings the finest model of a thinking mind, and of the mode of arranging and transmitting our ideas. What, then, can be the meaning of those philosophers, poets, and physiologists, who assert that the principle of intelligence undergoes in old age a deterioration similar to that of the vital principle? The example I have just quoted, does it not suffice to repudiate such an assertion. Yes! In Bossuet, the unconscious vital principle, after attaining a culminating point, experienced its natural and expected degradation. Troubles, labour, and suffering may have, indeed, accelerated its extinction, and may even, if you will, have reduced it to the condition of an embryo. But as regards the principle of intelligence, it had lost none of its perfection, none of its utility, when death claimed him. On the day on which he ceased to breathe, his intellect was as powerful as when, forty years previous, Madame de Sévigné thus wrote respecting him, "Bossuet would appear as if engaged in a war of words with his auditors; his sermons are all mental combats."

You will perceive from what I have just said, that it has been, and ever will be, my intention to oppose that popular prejudice, which pretends that the principle of intelligence is amenable to the laws of age as is the vital force. This I undertake to refute, and my chief argument will rest upon a consideration of actual facts. The one I have already laid before you carries great weight along with it. But I shall not content myself with a single observation, which our adversaries might consider as exceptional. Not but what I might reasonably oppose it, and it alone, to any theory connected solely with causes of a physical nature, and we have already seen that our antagonists admit none other; for to prove that the decline of the principle of intelligence in man, is the result of the same cause to which we attribute the supervention of corporeal decay, it would be necessary to show that its declension was general, infallible, and free from exception. One single instance of immunity well authenticated, one well recorded case, in which the principle of intelligence remained unscathed during the senescence of its corporeal tenement, would suffice to destroy a theory, founded solely upon mechanical hypothesis. But as the public prefer reckoning the number of examples, rather than judging of each by its individual value, I am enabled to gratify the tendency, and to multiply facts to the utmost.

In undertaking the refutation of a theory, which the obstinacy of a sect may possibly protract, I fear lest the idea should suggest itself—where is the advan-

tage, where the utility, of proving that the principle of human intelligence does not suffer the inevitable decay of the vital force? Is it not a speculative question? Does the solution of the problem in any way tend to a practical application?

I have already afforded you a glimpse of the importance and extent of the proposition which I now advocate. But I fear lest this rapid sketch should not suffice to fix your attention as continuously as I should wish, and I have therefore chosen a certain number of examples, bearing upon the truth of this subject, and more especially capable of illustrating the applications of which it is most susceptible. As in the mutual interchange of thought a community of interest on either side facilitates the process, I shall not conceive it a loss of time, if I take some pains to place you in the most favourable light for seeing with ease, that the insenscence of the principle of intelligence becomes an established fact, an experimental dogma, capable of affording an insight into some important points connected with that science upon which medicine is based. Allow me, then, to point out to you a few applications of my proposition, in order to banish from your minds all doubts as to its utility.

My primary object, then, is to show that the principle of human intelligence does not experience that process of culmination to which the vital powers are inevitably subjected. I do not, however, seek to prove that this principle is in its own nature, by its own essence, incapable of growing old, for of this my own experience affords me no proof, and it is my especial wish to teach you nothing of which such experience has not satisfied me of the truth. A captious hearer might indeed say,—“I allow that you may meet with a number of individuals whose intellect has braved the ravages of time, but this does not prove anything beyond the simple fact, that the culminating point of which it may be susceptible is more tardy in its approach, and that the natural term of life has drawn to a close even before the principle of intelligence had attained its meridian.” Gentlemen, to this I could say nothing, and as regards the insenscibility of this principle I am silent; it may, as you will see, be fairly surmised; but of actual proof there is none.

One thing, however, may, I think, be proved, and it is this—viz., that the natural meridian of the intellectual principle has not been witnessed, and that it frequently continues its progressive ascension, in spite of decay and decrepitude, up to the moment of corporeal annihilation. Let us not, therefore, confound insenscence with insenscibility.

This distinction is one of great importance; the latter term being the expression of a dogma, alike theoretical and paradoxical, and of which I have no need at present, while the word insenscence stands the representative of a general fact of historic origin, or of an *experimental* dogma, of which I propose to avail myself in considering several important points of human physiology.

Without dipping deeply into the science, but choosing rather some elevated point from which its principal divisions may be more readily appreciated, it is scarcely possible not to recognise six points upon which this insenscence of the intellectual principle serves to throw a palpable illumination. These are—1st. Legal medicine and medical ethics; 2ndly. The analysis of the human dynamism; 3rdly. The human synthesis; 4thly. The existing distinction between the nature of man and animals; 5thly. The appreciation of certain experiments made upon living animals with a view of elucidating the physiology of man; and, 6thly. The science of rational psychology, at present a subject ardently revived. A few words will serve to explain these different relationships.

1st. *Legal Medicine*.—Should it ever happen that legislators forget the reality of the insenscence of the intellectual principle, legal medicine would be there to remind them of it. You might say to me, that legislation has not ignored this fact, and that the acknowledged rights of old age are conformable to the above proposition, the legal presidentship in a deliberative assembly devolving upon

the most ancient of its members. This is true, and we must confess that here common sense has triumphed over the theories of sages and philosophers.

But who will say that this victory over materialism is to be a permanent one, should its votaries unite *en masse*, and resolve to be consequent in the enunciation of their doctrines? Hence it should be the object of legal medicine to frame and elevate into a natural prerogative that which exists in reality; lest the dispensations of the law should ever range themselves side by side with the philosophy of the 18th century.

Let us, then, suppose that a popular belief continues tacitly to oppose the exertions of a sophistical science, and that the public feel persuaded that all things being equal, those intellects which have had the longest period of time for the exercise of their mental perceptions, deserve a preference in the consideration of matters requiring mature deliberation. Is this a reason for leaving unsolved the real motive of such conduct? No! It is of the utmost importance to reduce it to the standard of a mathematical formula, in order that sectarians may not deceive themselves with the notion, that so prudent a custom is, after all, merely an old prejudice, opposed to the dictates of reason and progress.

But, in addition to legal medicine, there exists a moral medicine, or code of medical ethics. We possess an inward tribunal, the distributive justice of which requires as much assistance from the science of medicine, as does that of our external tribunals. And a strict examination of our principle of intelligence is far more competent than public laws or public opinion to grant or deny certain dispensations. Whatever legal exemptions may be claimed in favour of age and infirmities, a conscientious individual, when he feels that his intellectual powers may escape the influence of years and of decay, will probe his own mind in order to appreciate truly both his duties and the powers he still possesses for their performance. In this way a knowledge of the fact we are now considering contributes to render us not only irreproachable, but at the same time exempt from all remorse.

The treatises of Cicero, St. Evremont, and Meister, are indeed a means of consolation, adapted for those who are advanced in years, but they are at the same time little short of manuals for the voluptuary, in which endeavours are made to attract his attention towards some pleasant notions, offered as compensation for the losses he may have experienced. And I fear that such epicurean morality can only tend towards the false idea, that age constitutes a dispensation from mental exercise. Sensuality may, in this way, exaggerate the rights of age at the expense of its moral obligations. It is necessary, therefore, that along with the mitigations required by the increasing debility of the vital powers, should be inscribed rules of conscience, deduced from the antagonistic and progressive career of the intellectual principle. As long as this principle is incapable of alleging a true declension, it must not be permitted to quit its post.

Man, in his civil capacity, is a citizen of two republics, of which the one is material—the other intellectual. The elder no longer pertains to the first of these, when his organic principle refuses to perform its former wonted services as in days past; he becomes nought but a parasite, and may reasonably dread the fate of the drones when the hive of bees no longer requires their presence. In the intellectual republic, however, he still preserves his rank and rights, and may, if he choose, do so up the latest term of his existence. The truth of the insenscence of the intellectual principle becomes thus an appeal, not only to his self-esteem, but likewise to that innate sense of duty which regulates an honest man, and whispers in his ear, that no sentiment capable of proving useful to humanity at large, deserves to be buried in the tomb.

2nd. *Analysis of the Human Dynamism.*—The insenscence of the principle of intelligence once established, we may proceed to utilise it in an examination of the nature of this principle, as compared with that of the vital force in man. You are aware that this latter power acts, presides, and suffers,

unconscious of itself; while the very reverse is the case with the principle of intelligence. It is already a difficult matter to consider, as of an identical nature, two powers—the one of which is endowed with a consciousness, of which the other is devoid. But if, in addition, the latter is without exemption, prone to decay, while the former continues its onward progression for an indefinite period, and enjoys a real insensescence, shall we, I repeat, then say that these two great principles are alike? . . . What becomes of the principles of metaphysics, or of the rudiments of philosophy, if phenomena so different, so distinct, allowed of our seeking their respective origin in a single hidden cause.

The history of man, then, is derived from a science itself of duplicate essence; the one division being of a physical nature, namely, anatomy; the other of a metaphysical nature, again subdivided into—first, psychology; and secondly, human biology. These three very distinct sections of physiology are all of equal importance, and alike deserving of conscientious careful investigation.

3rd. *The Human Synthesis*.—Those who are convinced of the difference which really exists between the primary causes from whence all anthropologic phenomena are derived, will allow, that since man is composed of three elementary principles, none of which can be considered as proceeding from the other, but are united in one system by virtue of a superior agency . . . we should carefully inquire into the laws which regulate this association. These laws, not to be compared, indeed, with those of nature in general, are the subject of a special department in human physiology. They can only be known and reduced to anything like precision, by acquiring exact notions respecting the anatomy, psychology, and biology of man, and consequently, after having accurately distinguished the two elements of the human dynamism. The code of this association is what we denominate, anthropopœia; a science essentially medical, intimately connected with moral principles, and having no equivalent in comparative physiology.

A distinct appreciation of the three elements just mentioned, is by no means, however, the sole condition indispensable to a formal establishment of the laws which regulate their co-ordination; it is, in addition, necessary that we should be agreed upon the fundamental doctrines of philosophy, upon its axioms, and upon the technicalities which express them. For such a mutual understanding, it is necessary to appreciate the legitimate signification of the word ontology. Now it was no more lawful for Brouissais to consider ontology (another term for general metaphysics) as the poetic creation of an imaginary entity, than it was for Prado to take the words metaphor and metonymy for terms in chemistry. Moreover, we must become familiarized with the rules of the "*Novum Organum*," which is but the manual of the art of philosophizing in the interpretation of nature. Experimental causes are not to be regarded in the light of hypotheses, inasmuch as the use of these abstract expressions has had for its object the exclusion of all concrete supposition. In distinguishing natural causes, it is of consequence to bear in mind the two heads to which they may be referred, the physical and the metaphysical. Lastly, in a specific determination of experimental causes, the reasoning should be as impartial as should be the heart in the verdict of a jury.

Without a due observance of these precepts, I see no possibility of arriving at an exact analysis of man; and without such an analysis, how can we hope to arrive at any rational mental synthesis. Hence it is that anthropopœism is not even dreamt of in those schools of physiology where the Hippocratic analysis is ignored and repulsed. Cabanis, who would appear to have attempted it, failed to achieve the desired end. Among many requisite conditions in which he was wanting, we may particularly remark the one I have just mentioned. Blinded by the spirit of materialism, he never possessed that independence of reasoning so necessary in applying the method of Bacon to the discrimination of experimental causes. The title of his work, "*Du Rapport du*

Physique et du Moral," is in itself a physiological solecism, since the moral bears no relation to the physical, properly speaking, but only to the vital, which alone influences the latter. Neither Bichat nor Broussais have been more attentive in their analysis than Cabanis. The science of medicine truly requires some other synthesis, under penalty of losing all philosophic bond of union.

4th. *Parallel of the Human Dynamism with that of Animals.*—I have already, on another occasion, instituted certain comparisons, the result of which has served to prove that the two dynamisms were not of an identical nature. If then the insenscence of the principle of intelligence be incontestable, you must no longer expect to see any greater resemblance between man and the brute.

If the brute be not endowed with a principle capable of resisting the decay of its vital force, I have a right to suppose that its dynamism is not the same as that of man; either it is simple in composition, or it is a combination of two elements, and if so, that which would be equivalent to our principle of intelligence must be essentially different. Already do we perceive the contrast between the delicate susceptibility of the human brain, of which trifling lesions are sufficient to threaten existence, . . . and the tolerance of this organ in many animals; a tolerance, indeed, which allows it to be mutilated, and even partially destroyed, without much alteration of function: equally evident becomes the contrast which exists between so many animals which from their birth are enabled to supply their own wants without instruction, and man, who cannot live after birth but by the assistance of his fellow-creatures, or by the aid of a lengthened apprenticeship. Such contrasts, I repeat, must have often struck unprejudiced minds, as showing that the experimentalists were comparing things which did not admit of comparison, and that the cerebral physiology of animals could have but little in common with that of man. But the insenscence of the intellectual principle in the latter, as opposed to the senescence of the vital principle, and on the other hand, the complete degradation of the entire animal, should suffice, I think, to open all eyes, and to convince physicians that an amalgamation of human and animal physiology is, after all, a bastard production, of which no application can be made, whether in medicine psychology, or ethics.

5th. *Application of certain vivisections undertaken with a view of determining the functions of the Brain.*—One of the most serious results attending the establishment of the insenscence of the principle of intelligence is, that it destroys the value of those experiments which have been made on the brain and nerves of living animals, with the view of solving the theory of the intellectual faculties in man. I feel satisfied that the anticipation of such a result may prove the most active cause of opposition to my doctrines. What becomes of so many vivisections, so ingeniously imagined, so carefully and laboriously executed? And yet, what reliance can I place upon phenomena observed in beings so different from myself? You see that, to apply the results of vivisection to the elucidation of human physiology, it becomes necessary to prove that animals possess a principle of intelligence analogous to our own—a principle of intelligence that can resist the influence of years, and remain vigorous and unscathed while the body withers and the vital powers are becoming extinct. You must prove to me that in animals there exists some intellectual compensation as a set-off to the destroying influence of age upon their bodies; and unless you can do that, I must continue to deny the identity of their nature and mine.

Now, in spite of the difference which really does exist, we are perpetually told, that these vivisections are of the greatest use in the advancement of medical science.

I have, on another occasion, entered my protest against that doctrine which admits of a compromise between the science of man and comparative physiology. I have long since been scandalized at perceiving that the designation and

privileges of the human being had become the common property of certain species, whose only claim to such consisted in their possessing, along with him, vertebra, or some other anatomical peculiarity. . . . And this sentiment would indeed be heightened, if I found that our brethren allowed the laws of human psychology to be framed upon the result of experiments made upon the lobes, corpora striata, or tubercula quadragemina of rabbits, turkeys, fowls, &c. Believe me, the hierarchy of science is never overthrown or deranged with impunity. It has been determined beforehand by the dictates of common sense, and any infractions of its laws are sooner or later avenged.

6th. *Rational Psychology*.—Physiology, medically speaking, comprehends only that division of psychology denominated empiric psychology, or in other words, the science of the functions of the intellectual principle, without regard to the nature of such principle. But an inquiry, having for its object the solution of this problem, which is of little interest as regards our own peculiar department of science, becomes nevertheless of great importance in a moral as well as in a political and philosophical point of view.

The editors of the *Encyclopédie des Sciences Philosophiques*, professing to establish truths by the unaided powers of reason, without the intervention of faith; teach without reserve, that "the mind is a free and responsible agent, an existence entirely distinct from any other; self-containing, self-producing, self-governing, and bearing along with the stamp of its own origin the warrant of its own immortality."

I cannot imagine that these judges should have pronounced such a verdict without consulting us, who, as physicians, form a sort of public tribunal in relation to the science of man. They would rather wish to know our opinion of this matter in an experimental light. Now, is it not evident how the insenscence of the human intellectual principle comes to the assistance of their proposition? This insenscence, is it not a presage of insenscibility, and is not insenscibility a step on the road to indefectibility, and, as a consequence, to immortality?

The sect of the Organiciens, representing the philosophy of the eighteenth century, addresses itself to us in the same terms as did Augustus (after the taking of a city) to the inhabitants who craved his clemency—"Morendum est," (death is inevitable.) But does nature, or to speak more definitely, the analysis of facts, speak as pitilessly as these philosophers? Is the literal interpretation of the sentence susceptible of no modification? May I not expect some slight commutation? Fortified by a conviction of the existing distinction between the two principles of my own dynamism, may I not console myself with the reflection that all is not lost, and that it is not unwarrantable to exclaim in a literal and experimental sense, as did the poet in a metaphysical one—"Non omnis moriar"?

From what I have said, gentlemen, you must, I think, feel persuaded that my proposition relative to the insenscence of the human principle of intelligence is not a frivolous paradox, incapable of application. Whatever contrary opinions you may happen to hear upon the subject, do not believe that it is merely a phantom of the imagination, or that, on the other hand, it is but an apology on my part, for an order of which I have long been a professed member, and which I now seek, from selfish motives, to elevate in public estimation.

Believe me, I am actuated by far higher motives. Once for all, be persuaded that it is my wish to teach nothing but fundamental truths. I am as economical of your time as I am of my own, and I fear not to remind you of the declaration of Bossuet, in which I see the expression of my own duty—the approval of my own sentiments. Though my body be feeble, the intellects of those around me still require direction. The good they may anticipate is indeed unworthy to be compared with that which the illustrious prelate was enabled to dispense. But though temporal and of an inferior order, it possesses a certain dignity, since it interests humanity at large. The sublimity of the one is no reason for depre-

ciating the value of the other. If the former has been, metaphorically speaking, denominated the word of life, we cannot be reproached with applying a similar term to the latter, in an acceptation approximating more to its true and literal meaning.

It is, then, in the hope of disseminating these (I trust) beneficent doctrines, that each succeeding year finds me increasingly animated, in proportion as the chilling influence of age deadens my corporeal perceptions. Each day do I desire, more and more, to protect you from the ignorance and errors which threaten you, without considering that present and future inspectors, more able than I, will doubtless preserve you from them. You may carry home my words to your fathers, who have been heretofore my friends and auditors. I feel myself in the condition of one who, at the close of his earthly career, sees his rapidly approaching departure, and exaggerates the approaching misfortune of his young children. His grief arises not from a presumptuous estimation of his own capacity, as compared with that of those who may be their future guardians; but from an all-powerful conviction, that to none but himself can the happiness of his little ones ever be so dear.

Seek not, therefore, my beloved children and pupils, to destroy or dissipate an illusion which is, indeed, little short of providential; inasmuch as I owe to it a courage truly paternal, and expect on your parts a sentiment of gratitude susceptible even of imitating filial love.*

DESCRIPTION OF A NEW BED AND BEDSTEAD FOR THE USE OF INSANE AND OTHER PATIENTS.

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IN the treatment of insanity, as, indeed, in the preservation of health under any circumstances, the importance of sufficient sleep can scarcely be over-estimated. It is not less essential than food, and is frequently more difficult of attainment than the ensuring of a proper supply of nourishment. To woo "nature's soft nurse" successfully, we must be careful to provide a suitable resting-place for the body agitated by the fearful forebodings and wild imaginations of a troubled mind. Nothing is so well calculated "to steep the senses in forgetfulness" as ensuring the comfort and rest of the worn frame; and we all know how great the prospect of obtaining sleep is diminished by an uncomfortable bed. For the ordinary class of patients the usual bedding is all that is required; but those who, from some particular propensity, inability, or infirmity, increase their personal discomfort by ceasing to pay any regard to cleanliness, and so acquire habits which are prejudicial to their general health, some other provision is necessary. I know it is said that there need not be any dirty patients, and that proper management and attention will ensure the cleanliness of all; but as far as my experience goes, this, like every other rule, is liable to exceptions. For instance, taking the male side of this hospital, there are at this moment four patients who are entirely regardless of personal cleanliness, consequently are frequently dirty, particularly at night; and this is about the usual average. There are generally about three more who are very frequently wet. These cases almost invariably occur among the curable class of patients, or perhaps, more strictly speaking, in those whose malady is recent; for of these seven but one belongs to the incurable class, and six to the curable. Although a certain proportion of the wet and dirty patients are those whose minds are too much disturbed to guide their actions and control their conduct, there are others who are actively and determinedly mischievous, but have yet sufficient intelligence to derive positive pleasure from the trouble they give—

* Lecture II. will appear in our next number.

sometimes absolutely rejoicing in it, and taunting their attendants with the disgusting duty they have imposed upon them. Others, again, too much absorbed in their insane thoughts to heed the consequences of filthy habits, but appearing to derive a kind of pleasure from indulging in them—these cannot be reasoned with, for any impression that is made upon them is most evanescent, and ceases almost on the instant to exercise the smallest influence over them. Such cases must always occur, and while they exist in an acute form their ever-varying mental condition renders utterly abortive the attempt to establish the habit of cleanliness; when, however, the acute stage of the malady is past, patients become more the creatures of habit; for this reason, among others, that their mental condition is more permanently settled and less varying. For dirty patients, then, the beds most commonly in use are either of straw or stretchers—that is, strong canvas or sacking stretched tightly over a wooden frame. As regards the comparative comfort and healthiness of these two, my opinion is decidedly in favour of the straw bed; for independently of the wholesome aroma from clean straw, which I believe has a positively beneficial effect, any moisture runs away more readily than it can from the stretcher, into which in fact, it soaks until by capillary attraction a large surface of it is saturated. Then a straw bed, though far from soft, is softer than a tightly-stretched sacking, on which no bed of any kind is placed when used for wet and dirty patients. The straw bed, then, being softer, is more comfortable, and it is also warmer, inasmuch as the patient's body sinks more into it than it can when placed on the tense and therefore hard surface of a stretcher. For these reasons my impression is, that the straw bed is the better of the two; but to it there are serious objections, independently of the ideas with which such bedding is associated. Whatever may be the means adopted for enclosing the straw, mischievous patients will always destroy the covering, and thus a quantity of loose straw affords them the means of occupation, and such diversion of their thoughts as divests them of any idea of attempting to procure sleep, besides enabling them to scatter the whole contents of their bedding, rendered impure and offensive, all over the room.

To obviate these objections, I considered how a bed might be constructed which should be soft and yielding, but at the same time of sufficient strength to resist the attempts of the mischievous to destroy it, while it allowed any moisture to escape at once, without leaving a wet and offensive surface about the person of the patient. This object was effected by making an oak frame, about 6 feet 3 inches long by 3 feet wide; over this was stretched webbing and canvass to support a stuffing of horsehair, as in the ordinary seat of a chair or sofa. The stuffing, however, was so arranged as for the surface to present a gradual fall towards the centre, which was pierced by a small hole extending through the whole thickness of the bed thus constructed; and through this hole a brass tube, with an extended and flattened edge, somewhat resembling the neck and round flattened lip of a decanter, was passed, a screw being cut on the outside of the lower part of the tube, which projected on the under surface of the bed, and was secured in its place by a nut, which so assisted in making the depression in the centre by approximating, in proportion to the tightness with which it was screwed up, the upper and under surfaces of the bed, at the same time that it brought the under surface of the extended lip of the tube in close contact with the upper surface of the bed immediately surrounding the hole, so as to prevent any moisture getting down by the side of the tube into the inside or stuffing of the bed. Before, however, fixing this tube, the whole of this bed was covered with a sort of sailcloth, made expressly by Messrs. Edgington, strong and perfectly waterproof, the edge, of course, being pierced for the tube already described, and the outside edges secured by being brought over the frame and nailed to its under surface, so that no point presented which could be taken hold of by a mischievous patient. A frame thus stuffed is easily held in its place in a box bedstead by a very simple fastening,

consisting of a screw worked by a small key, as shown in the new bedstead which I have since had made, and which I shall describe presently. It will be understood, then, that the bed just described consists of a sort of frame mattress, made so as to present a gradual fall from both ends and sides towards the centre, so that any wet would naturally fall to this spot, and escape through the tube, the whole upper surface of the bed being covered with a strong waterproof material. A bed of this description has now been in use in this hospital for about twelve months, during which time it has been severely tested, but has perfectly answered the purpose for which it was made. It is essential to the successful employment of this bed that the top surface should be perfectly waterproof and strong; and when these conditions are fulfilled, I believe it will be found that this bed will be a very great comfort in the cases of patients, whether insane or not, whose infirmities or more active disease make it extremely difficult to keep them clean. A bed on this principle, however offensive it may be made by the matters discharged upon it, may in a few moments be rendered perfectly sweet, and again fit for immediate use. When the patient is not mischievously disposed, of course no fastening is necessary, and the bed may be simply laid on an ordinary bedstead, the only thing required being a provision for the escape of any fluid passing through the central tube. Another important consideration is, that this bed may be made for a very few shillings more than an ordinary horse-hair mattress.

A sketch of it is shown in the accompanying drawing:—Fig. 1.

The circumstances which led me to contrive what I have called the “Enclosed Bed,” will be best explained by a brief sketch of the case for which it was made.

A patient was admitted towards the latter end of last year in a condition approaching dementia, which appeared to have been brought on by great mental anxiety; he was generally quiet and silent during the day, and almost helpless, being so much confused in all his acts as not to know the different articles of dress from one another, and would try to put on his coat as trousers, and the like; his memory was entirely gone, and he seemed to have no idea of the lapse of time. He was very dirty in his habits and constantly noisy at night, it being his uniform practice to get out of bed, and stand and shout, with a power, of which, from his appearance, nobody would have supposed him capable. This went on for several weeks, and so far from any impression being made upon him, he seemed to get, if possible, worse and more noisy, so that the patients in a distant part of the building were roused from sleep by him, to say nothing of his immediate neighbours, who were seriously disturbed, while he himself suffered from the want of rest and sleep. It occurred to me that some means might be adopted, without resorting to any of the usual expedients for fastening him bodily to the bed, to prevent his getting out of bed; and as the patient happened to have a relation also a patient in the hospital at the same time, who was a cabinet-maker, I set him to work to carry out my idea, which, in fact, consisted of attaching to a sort of crib bedstead a kind of lid, formed of network of webbing, stretched on a frame. This was at once commenced, and made entirely by the relative of the patient, who took a very great interest in the experiment, had the satisfaction of seeing it succeed perfectly, and soon after left the hospital well. In my notes of the case the following memorandum occurs:—

January 22nd.—“Slept for the first time last night in the enclosed bed, and passed a very tranquil night; indeed, from the appearance of the bed this morning, he seems scarcely to have moved during the night. With one exception, he has been reported every night in the watchman’s book since 13th Dec., for being out of bed and noisy, and his noise has been such as to wake patients in the criminal wing, which is a perfectly distinct and separate building, some distance off.”

He continued to sleep in this enclosed bed without ever making any noise,

from the night he was first put into it until April 11th, when, believing that the habit of sleeping quietly had become sufficiently established, I directed him to be put in an ordinary bed, and found that he now slept as well there as he had done in the enclosed bed, and from that time forward continued to do so without ever again making any noise.

Besides such cases as that which I have thus briefly sketched, there are many others, including some epileptics, in which such a bed would be most useful and convenient at the same time that it is safe, and does not at all interfere with the ordinary movements of a person in bed, although it effectually prevents his getting out, as will be seen by the accompanying drawing. This contrivance consists of a sort of crib bedstead, the inside of which all round should be padded and covered with the same waterproof covering as the bed already described; this would, in the case, for instance, of an epileptic patient, prevent his doing himself injury by his own violence; and besides, it can be so easily cleaned; then the thickness of the frame, which serves the purpose of a lid, must correspond exactly to the thickness of the sides of the crib as seen at 5. 5. 5., so that no wood-work projects over the patient, and, indeed, nothing but the net-work of webbing, which must be of the strongest kind, two thicknesses of it being firmly stitched together, particularly at every crossing. This lid is secured behind by three strong hinges, one limb of each extending down the side, or rather the back of the crib, on the outside, and the other turning over the top edge of the frame, so as to hold it securely in front; it is secured by means of the bar or flap, which is attached to the front edge of the frame by spring hinges, which keep it at right angles with the frame, and, when shut down, parallel with the front side of the crib. The object of the spring hinges is to keep this flap pressed against the front side of the crib, when shut in such a manner that the fixed catches or bolts, which project from its inner surface, may be drawn into and retained in the holes of the plates, 2, 2, 2. These plates, by being turned over the front edge of the crib, answer the purpose of striking plates, and, as the lid is shut down, guide the projecting bolts of the flap into the openings destined to receive them, the spring hinges allowing the flap to yield sufficiently for these bolts to slip over the edges of the plates, and then pulling the flap inwards, so as to answer the purpose of a spring lock, which, when applied to a door, is locked by simply pulling the door to. It will be obvious then that all that is necessary to open the lid, when thus secured, is to draw away the flap from the front of the crib, and in doing so the three bolts are drawn out of the openings 3. 3. 3. in the plates 2. 2. 2. A patient might do this himself by putting his hand through the opening of the webbing, and pulling, or tilting up the flap; to prevent this, I had a simple fastening attached, which consists of a screw seen at 1. on the flap, which is retained in its place by means of a shoulder, and can only be protruded or withdrawn by means of a key, a few turns of which would screw it into the plate 4. shown on the front of the crib at the centre; this could only be undone by a few turns of the key in the opposite direction; the part of the screw on which the key fits being buried in the thickness of the flap, and therefore out of the reach of fingers, and only got at by a key.

The principle of this bedstead, then, is that of a crib with a lid to it, the inside being padded; the bedding being either the new bed which I have described above, or ordinary mattresses, the lid consisting of a net-work of webbing, without any woodwork projecting over the patient as he lies in bed, and being at a sufficient height from the top of the mattress to allow of free movements by turning from side to side, without touching the cross-webbing of the lid.

BARON ALDERSON'S "CHARGE" AGAINST PRIVATE LUNATIC ASYLUMS.

ACCUSTOMED as we are to receive with habitual respect and reverence the opinions enunciated by the learned judges of our land in summing up evidence upon an infinite variety of judicial points, we confess it gives us pain whenever we feel ourselves called upon to demur against their authority in matters connected with this department of our profession. Only recently the *dictum* of Lord Chief Baron Pollock, in the celebrated case of "*Nottidge v. Ripley*," that all persons apparently "harmlessly insane," no matter under what delusions they might labour, were improper subjects for confinement in lunatic asylums, and ought immediately to be discharged, called forth the remonstrances of the commissioners in lunacy; and the utopian doctrine of the learned judge has, we believe, fallen to the ground. Not less erroneous is an opinion just promulgated from the bench by Mr. Baron Alderson, which challenges the most peremptory refutation. On the 16th instant, one Henry Baker surrendered at the Central Criminal Court, to take his trial upon a charge of misdemeanour, for having kept two or more lunatic persons in his house, such house not being licensed according to the act of parliament. In consequence of information received by the commissioners in lunacy, Mr. Law, their solicitor, accompanied by the Earl of Shaftesbury and other gentlemen, went to the house of the defendant, in Doris Street, Lambeth, and they found him guilty of the charge preferred against him.

There was, therefore, no alternative, excepting for his counsel, Mr. Ballantine, to admit that he had acted illegally, and to sue for mitigation of sentence. On the part of the prosecution, Mr. Clarkson stated that the object of the commissioners was to prevent a proceeding which was undoubtedly illegal and improper. This was the fourth case of the same kind which they had felt it their duty to bring forward; and all they required in this case was, that the offending parties should enter into sureties not to repeat the offence. There cannot, as we shall have occasion to explain, be the least doubt of the propriety of this prosecution; and the spirit of forbearance with which it was conducted is manifest; when, however, the defendant had pleaded "guilty," it appears to us that all that remained for the court to do was to convict, and fix the amount of recognizances required. But Baron Alderson did not stop here; he travelled out of his judicial capacity, and denounced in general terms the existence of all private lunatic asylums. We quote *verbatim* his observations, as reported in the "*Times*" of June 17. "*Mr. Baron Alderson said, that many very good and sensible persons had entertained the opinion that there ought to be no private lunatic asylums—but that they should all be public. He must confess that this was his own opinion, as he could not help thinking that it was a very dangerous practice to allow persons to have the charge of lunatics who might have a personal interest in keeping them in that miserable condition. It would be very easy to have private wards in a public asylum, and in such an establishment no inducement of the description he had alluded to could possibly exist. He himself should certainly not like to be placed in one of these private establishments; and, therefore, he felt their impropriety for the reception of others.*" The case was then disposed of, by the defendant being directed to enter into a personal recognizance of 1000*l.*, and find two sureties in 100*l.* each, to appear and receive judgment, should he be called upon to do so.

Now, we would fain ask what was the question involved in this trial? Assuredly, not the existence or non-existence of private lunatic asylums. The very prosecution itself was founded in vindication of the law which governs these establishments. Here we have a man who was previously one of the subordinate officers in Bethlem Hospital, availing himself, probably, of the

knowledge he there acquired in his capacity of a servant; he then leaves that institution, and goes and opens a house of his own; in the phraseology of the vulgar, "sets up in business for himself." Accordingly he takes, be it observed, a small house in an obscure suburb of the town, never having applied to the commissioners for a licence, and, thus evading the law, he carries on his trade in secret safety; the commissioners having no knowledge of the existence of such a place, he could treat his patients in any way he pleased, they being subjected to no manner of surveillance. This was, therefore, a very proper case for indictment, the charge being materially aggravated by the fact of the man having been an officer in Bethlem. The proprietors of Private Lunatic Asylums too frequently find to their cost, their officers, attendants, and servants attempting to play these pranks; and when they are detected and convicted, although it be well that mercy should temper justice, they ought not to escape quite so lightly as did this Henry Baker! But we are at a loss to discover what feature or circumstances of the case could suggest, or justify, the above unprovoked philippic against Private Lunatic Asylums? Assuredly, the learned baron confounded *unlicensed* with licensed houses; he had in his mind's eye the house of Henry Baker, not asylums legally licensed and under the immediate jurisdiction of the commissioners. "Many very good and sensible persons" as he calls them, may entertain very erroneous opinions on many subjects, and if they were acquainted with the practical working of Public Lunatic Asylums, they would know well the inexpediency of wards being established in such establishments for the reception of private patients. Many years ago Lord Monteagle, in his evidence before the House of Lords, described the many inconveniences and evils which would arise from private patients being admitted into pauper asylums; and so convinced of this fact are the visiting justices, who know well the system which is necessary for the management of county asylums, that many of them, particularly in the North of England, have come to the resolution not to grant any establishment in future a licence for the two classes. They know, practically, that the better class of persons afflicted with insanity, are best taken care of in private asylums, where the various domestic appointments and arrangements correspond with those to which they have been accustomed; they know, also, that educated persons require attention, and a variety of comforts in accordance with their previous habits, which pauper patients never dreamt of. It may be very well for the learned Baron Alderson, in a sound and vigorous state of mind, to think he would prefer for himself a "private ward in a public asylum,"—were he, Heaven forbid! ever to be so afflicted. But we can tell his lordship that educated patients, those who have moved in the middle as well as in the upper classes of society, when they become mentally afflicted, evince an intense dread of being domiciled, notwithstanding any arrangements that may be devised for their complete separation, with paupers. To a refined and sensitive mind the very idea has a most depressing influence. They do not meet them, it is true, in the wards or corridors; but they see them from the windows; they meet them, perhaps, in the open ground, and they know and feel they are breathing the same atmosphere. The public generally,—the relations and friends of patients,—also strongly object to the plan—a fact well known to the medical men at Manchester, who wish to support Cheadle, an establishment intended for the reception of private as well as pauper lunatics. Apart, however, from all moral considerations, the management adopted in public and in private asylums must ever be essentially different. Hanwell Asylum with above 900; Lancaster with nearly 800; and Surrey with above 700 pauper patients; indeed, any large county asylum, would be seriously inconvenienced by the introduction of private wards. The practical difficulties, where the plan has been tried, have been found to be insuperable!

To conclude, we once more emphatically repudiate the insinuation, that persons who have the charge of lunatics," from having "a personal interest

in keeping them," can be base enough to prolong their "miserable condition." The prosperity of an asylum depends entirely on the public confidence it enjoys; and the interest of the proprietor, if we condescend to meet the accusation upon the most selfish ground, is obviously to prove to the relatives or friends of the patient, that everything possible is being done to ameliorate his or her condition, and accelerate recovery. Upon no other principle can we understand any asylum being conducted. The self-same charge, may, however, be brought against the managers of public asylums; they have an exchequer to maintain; they have an interest in keeping up the full complement of patients in the house; they must keep their revenue up at *par*; and to satisfy the grumbling rate-payers, they must have their contracts cut down to the most transparent shaving; they also must exhibit a satisfactory amount of receipts upon their balance-sheet. They, therefore, have a "personal interest," as the learned baron calls it, in taking charge and keeping pauper lunatics, quite as strong as might be supposed to actuate any unworthy proprietor of a private lunatic asylum. Imputations of this description, whether they emanate from the bench or from the bar, are very unjustifiable. There is no profession or occupation in life in which pecuniary compensation does not afford a very proper and healthful stimulus to honourable exertion. The ministers of the crown—the bishops of the church—the judges of the realm—the learned baron himself—never, we feel assured, disdained their drafts upon the treasury, or the bank of England; but to impeach their motives, because they enjoy the possession of a large revenue, would be as unjust as it is to impute such conduct as Baron Alderson has done to those who are engaged in the arduous and anxious duties of a profession not less honourable, although perhaps not so distinguished, as any of the above.

A SINGULAR CASE OF MONOMANIA.

A VERY curious affair is announced to come before the tribunals in a short time, wherein the medical faculty of Paris will be greatly interested. One of the numerous victims to the disease which, according to Broussais, makes more ravages in this one city than in the rest of Europe put together—the terrible, relentless, inexorable *idée fixe*—died at the Hospital Beaujon a short time ago, leaving a considerable sum behind him. For seventeen years he had never slept two nights following in the same lodging, nor during that time had he taken his meals at the same place; and in spite of the easy circumstances in which he had lived—in spite of the vigilance of kind friends and relations, the *idée fixe* has chased him to the hospital after all! Well might poor Broussais express such alarm at the *idée fixe*, the pious horror of which had at last become his own. According to Broussais, every man was under the influence of the *idée fixe*, and, by his first question to the patient, he was invariably determined as to the direction in which it lay. "Are you feverish?" would he say to the sick man who came to consult him. "Very," was most frequently the reply. "Restless, hey?—fidgetty at night, hey?—tormented and uneasy, hey?" To all this the patient would, of course, assent. "Then, monsieur, you have surely got some *idée fixe*! Ah! prenez garde à l'*idée fixe*!" It is a curious fact that, however strongly the supposition was denied at first, Broussais seldom failed to elicit something like an avowal of some pet anxiety or other, which by its nature he pretended to trace either to the brain, the stomach, or the bowels. Monsieur A——, the patient who has just died at Beaujon a martyr to the *idée fixe*, was formerly an *employé* in the Tuileries under Charles the Tenth, and held a post of high trust and confidence. In July, 1830, when the mob entered the palace, so great was the respect and consideration in which he

was held, that his apartment was unvisited, and afforded shelter to many of the *gardes du corps*, who otherwise would have been sacrificed to the fury of the people. He was allowed to retire at his leisure from the place he had occupied so long without the slightest molestation, taking with him his goods and chattels, and not in any way experiencing any more annoyance than the removal from one house to another must always occasion. He went to live with his wife and family in the Faubourg St. Honoré, announcing his intention of retiring altogether from public life. His mind was perfectly tranquil as to the future, for he had been prudent in his expenses, and had saved a sufficient fortune to ensure perfect ease and comfort for the remainder of his days. No symptoms of madness had ever been exhibited by himself or any member of his family, nor had previous pre-occupation been observed in his manner, when suddenly, on the 14th of November following the July of the Revolution, while at dinner, he laid down his knife and fork, and, turning to his wife, exclaimed, with a face full of consternation, "I have just remembered that I have to go to Vierzon." "Why so?" returned his wife, perfectly astonished at the sudden announcement. "To present myself at the drawing of the conscription." His wife laughed heartily at the idea. He was past fifty years of age—long past the time for entering the army; and his threat of repairing to Vierzon to present himself to the mayor was considered by her as an unaccountable joke. She knew he had escaped in his youth by making a journey over the frontier at the time of drawing; she knew that he had always been subject to the inquisition of the police until liberated by his age from all obligation of the kind, and she dismissed the affair altogether from her mind, and saw him depart for his walk, "as was his custom of an afternoon," without the slightest feeling of uneasiness. Her surprise may therefore be imagined when, late that evening, she received a note from her husband, wherein he requested her not to sit up for him that night, as he should not return, being well aware that the police were on the look out for him, and that, if taken, he should be condemned to imprisonment for *contumace* as regarded the conscription! From that hour he wandered forth, finding no rest, seeking no company, pursued by the remorseless *idée fixe* which had taken possession of his soul; one night sleeping in the Faubourg St. Antoine, the next at the Barrière de l'Etoile; sometimes dining on the Boulevard, and passing the night at Vincennes, to rise before daylight in order to avoid the gendarmerie, and then hurrying straight to Passy to snatch a hasty meal, and hurry off to St. Germain. This life he has led for seventeen years, and at length, worn out with anxiety and fatigue, he was brought from a small lodging-house in the Rue de la Pepinière. At the last moment he requested to see his wife, who was summoned on the instant. When she appeared at his bedside, he seemed to grow furious at sight of her features, which perhaps brought to mind his first seizure and his first despair. He reproached her with the greatest bitterness for having betrayed him to the police; it must have been her who had given notice of his defalcation at the conscription, as none knew it but herself. He had sent for her but to tell her this, and to bid her not rejoice at his death, as he had given his whole fortune into the keeping of Mons. Sainte — (whose brother is one of our first *litterateurs*); and although it was her own by right of the marriage contract, he would defy her to draw a farthing from him, were she backed by all the lawyers in Paris! Letters corroborative of this assertion were found in the knapsack, which, in the character of wandering beggar he had adopted for so many years, he had carried on his back, together with the account of his daily expenditure most regularly kept. As he had anticipated, however, Mons. Sainte — denies all participation in the concealment of the money, and declares the letters found with his signature were but to soothe the irritation of the "*pauvre fou*."

MORTALITY AND INSANITY IN SEPARATE PLAN PRISONS IN ENGLAND AND AMERICA.

DR. PARRISH presented and read the following communication,* embracing the substance of the remarks made by him at the last meeting of the College, with revisions and additions.

In the *London Lancet* for June, 1851, will be found an abstract of a paper on prison discipline, read before the London Medical Society by Dr. Forbes Winslow, which, with the discussion upon it, forms matter for profitable reflection and comment.

Dr. Winslow believes, and we think with good reason, that the study of the great problem of crime and its punishment comes peculiarly within the province of physicians, who, as a class, are better qualified than any others, both from their education and pursuits, to grapple with them. With these views, Dr. Winslow appears to have carefully investigated the recent improvements in the construction and management of prisons in England, in order, if possible, to arrive at some definite conclusions as to their actual effects on the moral and physical condition of convicts.

His statistics possess unusual interest, when viewed in connexion with those obtained from the prisons of this city and county; and in this light I propose to regard them.

It is known to the fellows that the plan of separate confinement, which originated in Pennsylvania, has been partially adopted in England, as well as in some parts of the continent of Europe; and it is to this class of prisons that the inquiries of Dr. Winslow are directed. In order, however, to draw a just parallel between the separate prisons of England and our own, it will be necessary to present some of the points of difference between them; and to sketch as briefly as possible the main features of the plans now in operation in the two countries.

Our Pennsylvania system has been both highly lauded and severely condemned; and in the discussions in regard to it, a degree of acrimony and uncharitableness has been engendered akin to that which too often marks sectarian and political controversies, and which is altogether unfavourable to the development of truth. It is the province of the physician, looking at this question as a medical and philosophical one, to free himself from all undue bias, and to view it in the light of facts alone.

Regarding the origin of the system of separate (or, as it was originally denominated, solitary) confinement, all must admit that the motives of the men who projected it were eminently philanthropic. They were amongst the most benevolent and public-spirited citizens of Pennsylvania, men of pure lives and honest hearts.

Seeing the utter failure of the old and vindictive methods of punishment to reform bad men, and considering this as the paramount object of penal law, they naturally sought for something higher and better. More than a century and a half ago, the wise founder of our state had taught that the reformation of the offender should be the grand object of punishment, and that cruelty and vengeance, which had entered so largely into the penal code of the Old World, should be swept away before the advancing tide of a purer gospel. Acting upon this sentiment, the original penal code of Pennsylvania was far milder than that of the mother country, or even of the other colonies, and under the

* Stated Meeting of the College of Physicians of Philadelphia, September 2nd, 1851. Dr. Meigs, Vice-President, in the chair.

mild sway of Penn, prisons were houses of correction rather than bastiles for executing vengeance. Nor was the example of the founder wholly lost upon succeeding generations. What was then rather a peculiar idea is now the popular sentiment in the most enlightened states.

It was in furtherance of the grand idea of reformation and correction of offenders that the plan of separating them from each other during their incarceration was conceived and carried out. The bad influence of their promiscuous intercourse in crowded rooms and workshops had been abundantly verified. It presented, in fact, an insurmountable obstacle to reformation, and was, in many instances, a direct cause of increased moral contamination, especially to the young and uninitiated.

To counteract this, entire separation, both by day and night, was offered as a substitute. It was believed that solitude would furnish a strong incentive to moral renovation. That the convict, shut out from society, with every motive to deception and to the indulgence of his passions taken away, without external objects of interest or amusement upon which his mind could rest, with no books but those of a serious kind, and deprived of the knowledge of the stirring events which were transpiring in the busy world around him, his thoughts would necessarily turn to the errors and crimes of his past life, which, as he looked back upon them, would lead him to deep contrition, and it might be to sincere penitence.

It was believed, too, that, by exclusion from the public gaze, and from his fellow-prisoners, he might emerge from his solitary cell, at the expiration of his term, and go out into the world without having the brand of the convict fixed upon him, and thus be enabled to commence anew the struggles of life. Plots of mischief and rapine, laid within the prison walls, to be executed by trained bands, grown old in crime, after their discharge, would thus be prevented, and the public security be thereby promoted.

These were some of the considerations which impelled many of our fellow-citizens to give their hearty support and co-operation to a new and then untried method of prison discipline. The plan seemed feasible: it held out the flattering prospect of reforming vicious and dangerous men, not by bayonets, stripes, shower baths, or other physical torture, but by the gradual softening influence of solitude, combined with moral and literary instruction. The early advocates of the system were divided on the question of introducing labour into the prison, some of them even supposing that occupation might amuse and distract the mind, and thus lead it off from serious reflections; but this idea was overruled by the more sagacious, and daily labour was, from the first, made a part of the scheme. Different opinions prevailed also in regard to the amount of intercourse which should be permitted between the prisoners and their officers, visitors, &c., as well as upon some other details of the plan.

The separation and non-intercourse of the prisoners, under any circumstances, were, however, agreed upon by all parties, and constituted the cardinal feature of the system. This was made the basis of a revised penal code, which was adopted by the legislature at its session in 1829, and has since been the law of the Commonwealth. Each prisoner is now sentenced to "solitary or separate confinement at labour" for a term corresponding with the gravity of his offence, or of the circumstances under which it was committed.

The introduction of this system involved, of course, the erection of new and costly buildings adapted to the end in view. The chief object being to isolate each occupant from his fellows, separate cells were constructed, facing upon lofty arched corridors, which radiated from a central hall. These cells are separated from each other by massive walls 14 feet long and 7½ wide; the light is admitted from above, through a skylight 22 inches long by 4 in width, and ventilation is effected by an opening in the top of the cell, which may be opened or closed at the discretion of the prisoner.

A cess pipe occupies a corner of the apartment; and across it pass two iron

rods for the conveyance of heat. A double door, the inner of firm iron grating, and the outer of thick wood, guards the front and rear opening of the cell. The floors of most of the cells are of plank upon a firm joice laid on cement, while some others are of stone. To each cell is attached a yard of the same size, enclosed by a massive wall 11 feet high, to prevent intercourse during the hour devoted to exercise.

A room thus constructed, without open doors or windows, and surrounded by a wall 11 feet high, with no other opening for sun light than through a narrow skylight at the top, and with imperfect means of ventilation, and this in a great measure under the control of its occupant, must be somewhat damp, and oftentimes offensive, especially when used alike for work, eating, sleeping, and, in fact, for all other purposes. In this apartment the prisoner is strictly confined at labour, one hour of each day being allowed for exercise in the cell yard, unless evidences of ill health or mental disorder induce the physician to direct a relaxation of the discipline.

Each block contains about 34 cells on each side of the hall, and is under the care of an overseer, who is obliged to inspect the condition of each prisoner at least three times daily, and to superintend his work. The warden, overseers, physicians, official visitors, and members of the acting committee of the Prison Society are the only persons allowed to hold intercourse with the prisoners. Until recently, the principal trades pursued in these cells were weaving, shoe-making, and bobbin winding.

Without entering farther into the details of the separate system, it may be remarked that it was carried into effect in Pennsylvania, under the most flattering auspices, in the year 1829, and has since been in full operation in the state prisons at Philadelphia and at Pittsburg, and more recently in several of the county prisons in the interior. The prison at Philadelphia was opened in the 10th month (October), 1829, and soon attracted a large share of attention from philanthropists, statesmen, jurists, and from the public generally. The order, decorum, and quiet which reigned within its walls; the absence of the sad spectacle of human depravity and wretchedness, which meets the eye in the thronged apartments of prisons conducted on the old plan, excited general admiration. Commissioners from England and France were sent out to visit it, and returned to their respective countries with the most favourable reports.

These evidences of regard naturally excited a degree of state pride, and induced Pennsylvanians generally to feel themselves identified with a movement which originated in their State, and which promised to effect a most desirable reform in penal law over the world.

If any had doubts of the harmony of the plan with the laws which govern the human frame; or imagined that close and long-continued confinement in cells, such as have been described, would breed disease and death; or that in strict seclusion from society the mind would feed upon its own thoughts until it became morbid and deranged—they silenced their fears, and determined to await the results of experience.

The institution was placed under the charge of five inspectors. It was officered with an efficient and humane body of men, fully impressed with the importance of the experiment upon which the State was about to enter, and as its medical attendant, a gentleman was selected whose experience as physician to the old Walnut-street prison, and whose high character, both morally and professionally, offered the best security that nothing would be left undone to secure to the inmates as good a degree of health as was compatible with their position and circumstances. For the first few years nothing transpired to excite doubts in the propriety or humanity of the plan of separate confinement. The medical reports, though written with great caution and accuracy, bore testimony to the general good health of the prisoners, and to the safety of the course to which they were subjected.

As, however, the number of persons brought under the discipline of the institution increased, and the influence of long periods of imprisonment became

more evident, facts accumulated which appeared to place a different aspect on the question.

The observations of our esteemed fellow, Dr. B. H. Coates, who, as a member of the Prison Discipline Society, was a frequent visitor at the institution, induced him to believe that there was a large mortality from scrofula and consumption amongst the prisoners of African descent; and on investigating the subject with his usual candour and accuracy, he proved conclusively that separate confinement was particularly injurious to the coloured race. Dr. Coates' paper was published in 1843, although his first communication on the subject was made to the Prison Society in 1840. In addition to this, a large number of cases of acute dementia began to appear in the medical reports of Dr. Darrach during the years 1839, 1840, and 1841, occurring more frequently amongst the coloured prisoners, and believed by Dr. Darrach to be mainly attributable to self-abuse.

Without proceeding farther with this history, we shall endeavour to lay before the College a brief summary of the sanitary condition of this institution, together with that of the county prison at Moyamensing, down to a recent period, and then proceed to a comparison between them and the English prisons.

The whole number of prisoners received at the Eastern State Penitentiary, to the close of the year 1848 (as contained in the annual report for that year), is 2421, of whom 1631 were white, and 790 coloured. The number of deaths recorded to this time, embracing a period of 19 years, is 214, or nearly 90 in the 1000, or within a fraction of 9 per cent. of the whole number received. Calculating the mortality of each year from the average number of convicts for the year, and then giving the average annual mortality for the whole period, this per centage would be considerably reduced; but the former method appears to me to convey a more accurate idea of the relative proportion between the number subjected to confinement and the number of deaths, besides being that applied by Dr. Winslow to the English prisons, with which we shall presently compare them.

The class of prisoners received at this institution is not of the worst description, nearly two-thirds of them coming from the rural districts; thus, from 2176, received to the close of the year 1846, 948 were from Philadelphia County, and 1228 from the country; of 124 new prisoners received in 1847, 43 from Philadelphia County, and the remainder from the country; and of 121 received in 1848, 40 were from Philadelphia, and the rest from the other counties.

The sentences of the convicts range from one to twenty-one years, their average duration being about three years.

The accustomed population of the prison for some years past has been about 300. The deaths in any one year vary from 1 to 26, and are generally from chronic disorders, scrofula and consumption being the most prominent. Acute diseases, and especially infectious and epidemic disorders of a low type which so frequently scourge crowded and filthy prisons, are unknown at Cherry Hill. The most fruitful source of the large mortality indicated by the above figures is from the deaths amongst the coloured prisoners; from the 790 coloured inmates received to the close of the year 1848, 141 deaths occurred, being nearly 18 per cent. of the whole number.

It would be easy to give the annual average mortality of this class, as derived from the average number in prison in each year. Thus, in looking through the reports, I find in two years, 1830 and 1833, there were no deaths amongst the coloured, while in 1831, the average mortality of this class to the average number in prison was 10·03; in 1832, 13·52; in 1834, 6·68; in 1835, 4·61; in 1836, 6·74; in 1837, 6·49; in 1838, 11·80, &c.; while, according to Dr. Emerson's tables, the annual average mortality of the coloured population of Philadelphia, of both sexes and all ages, between the years 1830 and 1840, was about 3½ per cent.

(To be continued.)

BETHLEM HOSPITAL.

MOST of our readers are, in all probability, aware that a successful attempt was made when the Earl of Shaftesbury's bill for the regulation of asylums was passing through the House of Lords, to exempt Bethlem Hospital from the official visitation and control of the commissioners in lunacy. These gentlemen have, from time to time, had various statements laid before them as to the alleged gross mismanagement of this hospital, and desirous of ascertaining the accuracy of the reports in circulation, the commissioners applied to the Secretary of State for the Home Department, for permission to officially examine into the condition of the institution and to ascertain the treatment to which the patients were subjected. Armed with the authority of government, the commissioners instituted a rigid inquiry into the state of Bethlem Hospital; medical officers, attendants, governors, and patients were examined upon oath at the hospital, and before the Board of Commissioners. Discoveries of a most painful character are said to have been made both in regard to the general mismanagement of the asylum, as well as to the cruel treatment of the patients. The official report of the commissioners to the Home Office is represented to be anything but flattering to the vanity of those officially connected with the hospital. Dr. Munro and Sir A. Morison protest against any report having been made without being afforded an opportunity of answering the charges made against their conduct as the physicians of the asylum. These gentlemen have applied to the commissioners, and to Mr. Secretary Walpole, for a copy of the evidence upon which the adverse report of the commissioners is based, but without success. The commissioners have no objection to a publication of the evidence and report—the *hitch* exists at the Home Office. It now appears that Mr. Walpole is willing to lay a copy of the report, evidence, correspondence, &c., upon the table of the House of Commons, as soon as the committee, having the general management of Bethlem, send in their reply to the charges of negligence and inattention made against them by the witnesses examined by the commissioners. We hope yet to be in possession of a copy of the report of the commissioners before we go to press; if so, we intend publishing it *in extenso*. The evidence, we understand, is voluminous; therefore it will be impossible to print in this number of our journal an analysis of it. In consequence of the inquiry of the commissioners, and, we presume, the suggestions embodied in their report, the governors of the hospital have resolved to materially alter its medical organization, by appointing a resident officer of a superior grade, who is to have for the future the exclusive management of the hospital and treatment of the patients, with a salary of £700 per annum, exclusive of a furnished residence, coals, &c. The appointment is said to be (inclusive of

pupils, fees, &c.) equivalent to £1000 a year. We hail with feelings of unqualified and unbounded satisfaction this recognition of the pecuniary value of medical services. The salary offered is a good one, and may tempt a few men indifferent as to private practice to become candidates for the office. We have before us a programme of the duties which will devolve upon the new resident physician and medical superintendent. In the first place, he is not professionally to attend any private patient, or to be connected directly or indirectly with any other establishment for the reception of lunatics. During his term of office he is never to leave the hospital without placing some other competent medical officer in his place, such substitute having the approbation of the "president and treasurer." This, we think, might have been dispensed with. Surely, if a good, trustworthy, and efficient man be selected, it would have placed him in a more comfortable position, to have freed him from the necessity of being obliged, whenever he wished to leave the hospital, to apply to the "president and treasurer" for their approval of the party selected to act for him during his temporary absence.

Again, the medical superintendent's position is rendered more dependent by the fact that he is never to be absent from the hospital *for one night*, "without the written assent of the president or treasurer," but an absence of one month in every year is to be permitted, "provided that arrangements are made satisfactorily to the same authorities." The medical officer is to be under the control of the president, treasurer, committee, and the Bethlem sub-committee; but in the hospital he is to reign supreme, having the exclusive management of all the other officers, attendants, and servants, and the medical and moral treatment of the patients. What are the duties of the resident superintendent? He is to classify the patients, regulate the diet tables from time to time, examine the provisions furnished for the use of the patients; to examine every patient upon admission, and, if requisite, on their discharge,—to have proper entries made in the books; to make daily visits to all parts of the hospital, &c. He is to visit every patient under restraint or seclusion, to exercise a general supervision over all the attendants and servants, to act as physician to the other resident medical officers, and also to all the inmates of the house of occupation—to see that prescriptions are *dispensed and administered*—to investigate all complaints made by patients, attendants, and servants—to take care that the prescription books, medical journals, and case books be regularly kept. The minute particulars as to each patient are to be entered into the case book, including the previous history of the case, with an accurate description of the external appearance of each patient—the character of the eyes, the expression of the countenance, and the peculiarities of physical formation, with a minute description of the early and more advanced symptoms of the attack.

The resident superintendent is to direct the *post-mortem* examinations, communicate with the relatives of patients dangerously ill, and "to remain with them, as far as may be practicable, during the continuance of such illness;" he is to admit medical pupils to the hospital; make regulations for their instruction; to give each term a course of lectures, to be illustrated by cases under his care at the time; and to present to the General Court of Governors in every year an annual report, &c. &c.

In sober seriousness, we ask where is the man to be found, irrespectively of his mental qualifications, with a sufficient *physique* to enable him to perform *one-fourth* of the duties that are to devolve upon the resident medical officer of Bethlem Hospital? Unfortunately for this great institution, giants either in body or intellect do not exist in these degenerate days; yet one would suppose that in dotting down the details of the medical officer's duty, the governors of Bethlem had some modern Goliath, or Admirable Crichton, in view, otherwise how could they, for one moment, have imagined that any one man would be able to approach the standard which the governors of Bethlem evidently had in contemplation whilst compiling the document before us! If, instead of £700, they were to offer £7000 per annum to their medical officer, he never could perform a tithe of the duties expected of him with any degree of satisfaction to a conscientious mind, or advantage to the patients who would be under his care. If they were to appoint one officer to keep a record of the cases, to make out the reports, to attend the meetings of the committee; another to compound the medicine, and to see it administered; a third to attend to and visit the sick, see and correspond with the relatives; and *two* to visit and prescribe for the patients, to make the *post-mortem* investigations, and to lecture,—there then would exist an efficient medical staff, and we should have reasonable expectations of witnessing Bethlem Hospital take a position with *Charenton* and the *Bicetre*. We feel positively assured that there is ample work at Bethlem Hospital for four resident medical officers. How is it possible that, with the immense amount of responsibility and work devolving upon the resident medical officer, the governors can expect that he will have time to prepare a course of lectures, in accordance with the most recent discoveries in the pathology and therapeutics of insanity, likely to reflect credit upon himself, and to elevate in public estimation Bethlem Hospital as a scientific school of medicine? We do not for a moment doubt, with a few exceptions, the utility of the regulations laid down for the guidance of the medical officer, but we maintain that no *one human being* can be found competent to discharge them at all efficiently.

COLNEY-HATCH LUNATIC ASYLUM.

THE first medical report of the new county asylum for Middlesex (*Colney Hatch*) is now before us. At the date of the report the asylum contained 1004 pauper lunatics, consisting of—males, 370 (exclusive of 12 male children); 613 adult females, and 8 female children. Dr. W. C. Hood, who is the resident physician on the male side, states in his report that 18 of the 411 patients admitted under his care, were discharged cured within the first six months; 1 was relieved, 16 died, and 376 remained in the asylum. The tabular statements appear to have been drawn up with care, and the account of the *post-mortem* examinations are interesting and valuable to the pathologist. Dr. Hood, in his attempt to convey "some idea of the main view taken of each division, and the particular feature characterizing each sub-division" of insanity, observes: "*Mania* must be received in the general acceptance of the term, as comprehending the acute, chronic, and intermittent forms, each combined with the various complications specified." Is this passage not a little obscure? After defining melancholia, Dr. Hood says: "Dementia, imbecility, and idiocy are as familiar as 'household words,' and demand no explanation!" It would have been more prudent for Dr. Hood to have avoided all attempts at definition; but, having entered the field, we think the important divisions of *dementia*, *imbecility*, and *idiocy*, should not have been so summarily dismissed. "Familiar as household words," indeed! We heard a physician associated with a large county asylum not 100 miles from Colney Hatch, define, in a court of justice, "imbecility" to be "*feebleness of mind!*" Dr. Hood should have enlightened us upon this point. Dr. Hood discards altogether from his nosology the term "*melancholia*" and "*monomania*," and our readers will ask, for what reason? He says, "*the fact of monomania I very much question;*" and why? *because*, "out of 805 cases registered by Dr. Conolly, in his report of the year 1839, *four* are only ascribed to that form." This does not appear, to our humble judgment, to be either satisfactory, conclusive, or logical reasoning. What matters it to us whether Dr. Conolly, or any other doctor, found among 805 lunatics, or 8000—4 or 400 cases of monomania: it would not alter our opinion as to the existence of this form of diseased mind. The discovery of *one* case should settle the question. A man is said, in legal and medical phraseology, to be a monomaniac when he is under the influence of one prominent delusion, and *apparently* sane and rational upon all other points. Does Dr. Hood deny the existence of a large class of insane patients who come within the scope of this definition? To discard the

term monomania, and upon such flimsy grounds, appears to us to be very absurd. Dr. Hood may conceive (as others have done before him) that the mind cannot be diseased upon *one* single point, and actually *same* upon all others; and that to admit this would be to deny the unity of the mind's action. This is a *metaphysical* question which our judges in Westminster-hall, very properly, we think, will not allow medical men to discuss when in the witness-box. Monomania is a form of disease fully recognised by Penil and Esquirol, and all the eminent legal and medical authorities of France, England, and America; and Dr. Hood should have thought twice before he ventured, upon such grounds, to repudiate its existence. Again, Dr. Hood informs us that he has discarded the term *hypochondriasis* from his nosological table, and urges, with great simplicity, as his reason for so doing, that "*it is a state induced by physical derangement, depending principally on the chylopoietic viscera, or uterus, and susceptible of amelioration without calling for the moral treatment or vigilance of a lunatic asylum.*" (p. 39.) If we are to exclude from our vocabulary all the forms of disturbed mind because they may be "induced by physical derangement," with what class of case shall we fill the wards of our private and public asylums? Surely Dr. Hood is sufficiently conversant with pathological science to know that every form of insanity is "induced by physical derangement." We consider Dr. Hood is not justified in omitting the term hypochondriasis from his nosology, unless he has a more philosophical reason than that assigned in this report for so doing. Has not Dr. Hood inadvertently laid himself open to the charge of *egotism*? When speaking of the treatment of the "*paralytic*," he observes: "In lieu of soup I prefer giving a meat dinner."—"I think warm bathing most essential;" and "I think the instances where depletion is called for are so rare."—"I would fain not acknowledge," &c. We think the personal pronoun is too often and too ostentatiously used in this portion of Dr. Hood's report; thus leaving the impression that we, poor "dogs," are not to enjoy the privilege of "barking," when we are disposed to "open our mouths!" Dr. Hood makes some sensible observations upon the importance of occupation, and has recorded in his report the history of several interesting cases which have been admitted into the asylum. Dr. Davey's report follows. It is well written, and replete with interesting matter. There are no remarks, however, in the report sufficiently novel to justify us in transferring them to our pages. We append, for the perusal of the ratepayers of Middlesex, the creditor and debtor account, having reference to the cost incurred in building this county asylum.

COST OF CONSTRUCTION OF THE LUNATIC ASYLUM
AT COLNEY HATCH.

DEBTOR.

	£	s.	d.
To Amount of Loans raised under authority of General Quarter Sessions	270,000	0	0
„ Cash received for Royalty on Brick Earth	650	0	0
„ Cash received for Sale of Trees, &c.	139	1	6
„ Cash received for sundry Small Rents	25	7	0
„ Profit on Exchequer Bills	2,044	10	1
		2,858	18 7
„ Amount to be provided		16,497	6 11
		<u>£289,356</u>	<u>5 6</u>

CREDITOR.

	£	s.	d.
1 By Purchase of Land and Expenses thereon	19,786	4	8
2 „ Premiums for Designs for Building	610	8	2
3 „ Contract for Building	138,000	0	0
4 „ Clock Turret and Clock, Colouring Wards, and painting Chapel Oak	803	1	0
5 „ Fixtures and Fittings	18,812	6	7
6 „ Warming and Ventilating	11,583	11	3
7 „ Hot and Cold Waterworks:—			
Pipes, Taps, Baths, &c.	4,901	6	8
Sinking Well and for Pumps	1,294	0	3
Steam Engine and Boilers	896	14	7
Reservoir	3,179	0	0
		10,271	1 6
8 „ Gas Buildings, Works and Fittings	1,623	12	10
9 „ Drains	4,034	13	9
10 „ Earthwork, Laying out Grounds, Shrubs, &c.	12,281	3	6
11 „ Formation of Roads, Airing Courts, Ballast, Gravelling and Draining same	16,430	17	3
12 „ By Entrance Gates, Lodge, Stabling, and Deadhouse	1,229	16	0
13 „ Farm buildings, Slaughterhouses, Dairies, Cottages, &c.	2,000	0	0
14 „ Chaplain's House, and Fencing thereto	1,323	4	1
15 „ Railway approach, Railway and Road, Weighing Machine, Engineer's Cottage, and Store Sheds	1,900	0	0
16 „ Boundary Walls and Iron Fencing	2,527	16	7
17 „ Furniture, &c.:—			
Furniture, Upholstery, &c.	2,112	4	1
Bedsteads and Bedding	6,204	5	8
Linen Drapery	118	4	9
Ironmongery, &c.	1,102	1	1
Turnery, &c.	419	15	8
Earthenware, &c.	127	18	11
		10,084	10 3
18 „ Clothing	2,951	16	11
19 „ Architect's Commission, Clerks of Works, and Police	3,448	3	8
20 „ Incidental Charges:—			
Coals, Coke, and Wood	822	7	8
Printing and Stationery	460	4	7
Advertising	383	19	4
Lithographing Plan of Building	53	5	2
Report on Gas Works and Analysing Water	21	0	0
Consecrating Burial Ground, Licensing Chaplain, and for Funeral Furniture, &c.	53	15	5

Rates and Taxes	176	5	7		
Insurance	62	11	6		
Salaries and Wages	1,770	1	9		
Provisions	79	4	1		
Oilman's Stores	53	5	3		
Books and Toys	86	15	4		
Surgical Instruments, &c.	68	4	9		
Marking out Site for Building	28	9	0		
Expenses of Laying Foundation Stone	53	10	4		
Sundry Petty Disbursements	343	16	5		
				4,516	16 2
21 „ Farm Stock:—					
Live Stock	282	4	6		
Dead Stock	144	17	1		
				421	1 7
23 „ Law Charges				1,206	6 2
				265,851	11 10
22 & 24 Liabilities, as per Statement				23,504	13 8
				£289,356	5 6

N.B. These numbers, from 1 to 24, refer to a detailed Statement left with the Clerk of the Peace.

THE ELECTION OF MEDICAL SUPERINTENDENT OF BETHLEM HOSPITAL.

OUT of twenty-four medical gentlemen who offered themselves as candidates for the office of physician and resident medical superintendent of Bethlem Hospital, the three following gentlemen have been selected by the committee of management as fully qualified to go to the poll.

Robert Jamieson, Esq., M.D. of Aberdeen.

Lockhart Robertson, M.D. (late of the Royal Medical Asylum, Yarmouth.

W. C. Hood, M.D., of Colney Hatch.

Both Dr. Jamieson and Dr. Robertson's antecedents are such as to fully justify their aspiring to the high and distinguished post for which they are candidates. We should regret to say one word calculated to give pain, to wound the feelings, or damage the interest of the other candidate, but having a responsible duty to discharge, and anxious to promote the well-being of the great institution over which the new resident officer will have to preside, we feel called upon, in a public capacity, to point out to those upon whom the election depends, the vital importance of well weighing the qualifications of the three gentlemen from whom the selection is to be made. Dr. Jamieson's testimonials are unquestionably of a high order. His lectures on the *Medical Jurisprudence of Insanity*, published in the "*Medical Gazette*," fully attests his literary ability. Apart from this, his practical acquaintance with

the subjects of mental philosophy, medical psychology, and the actual treatment of the insane, is such as to point him out as a gentleman in every way calculated, to do honour to an institution like Bethlem. The election of Dr. Jamieson would, we are certain, give great and unqualified satisfaction to the medical profession. Dr. L. Robertson's age is said to be adverse to his interests; but he is an able, active, intelligent, and working man, and his nomination to the post will also be gratifying to all who have the pleasure of his personal acquaintance, and who are conversant with his many and varied attainments. The contest, we presume, will *virtually* rest between Dr. Jamieson and Dr. L. Robertson. We sincerely hope that wisdom far superior to that of which man can boast will guide those delegated with the great and solemn responsibility of electing the gentleman into whose hands the future destinies of this great national asylum are to be placed.

MRS. C. CUMMING.

THIS long litigated case is, we hope, on the eve of being satisfactorily and amicably arranged. The matter is in the hands of the able Queen's counsel and chancery barrister, Mr. Bethel, and Sir W. Page Wood, who have agreed to adjust the existing differences, and decide what is best for the interest of all parties concerned. No proposition will for one moment be entertained by Mrs. Cumming or her legal advisers which is not based upon the understanding, that the late inquisition of lunacy is to be quashed, and that Mrs. Cumming is to be considered and treated as a sane and rational person. Mrs. Cumming is to enjoy, during the remainder of her life, the whole proceeds of her estate; the expenses of the late commission of lunacy are not to be paid until after her death, Mrs. Cumming agreeing to leave her property to her grandchildren. Should anything unfortunately interfere with the negotiation now pending, the question of Mrs. Cumming's insanity will be submitted to another jury. Should this, alas! be necessary, we have no fear of the result. Mrs. Cumming continues, by order of the Court of Chancery, under the care of Dr. Winslow.

To our Correspondents.

It is our intention to publish in the next Number a large body of miscellaneous matter, and analysis of several foreign journals and works.

THE JOURNAL
OF
PSYCHOLOGICAL MEDICINE
AND
MENTAL PATHOLOGY.

OCTOBER 1, 1852.

ART. I.—HOMICIDAL MONOMANIA.*

WHEN any great criminal, rendered *great*, in the common acceptation of the term, by the enormity of his delinquency, is arraigned before the tribunal of justice, the bench, the bar, and all the avenues of the court are packed with a dense mass of spectators, belonging to all classes of society, who will endure any amount of personal inconvenience rather than not see the notorious criminal, whose trial, however shocking its details, they will persevere in listening to with intense interest. We can imagine the scene before us. The verdict of "guilty of wilful murder" has been returned, the sentence of death solemnly pronounced, and, when the fatal morning arrives, a rush is made to the scene of execution; the space surrounding the scaffold is crammed almost to suffocation; there is a sea of moving heads and uplifted ghastly faces—such as the Opium Eater describes in one of his most agonizing dreams—every eye being fixed with intent and savage earnestness on the machinery of the cumbrous drop. Streams of human beings may be observed extending far away through all the adjacent streets and alleys; the windows of every house, up to the attic storeys, are filled; the roofs above them dangerously crowded; and every ridge of wall or gable-end upon which a footing can be secured, is taken possession of to catch even the most distant glimpse of this revolting spectacle. A hasty observer might ascribe all this apparently morbid curiosity to the principle laid down by Hobbes, that man possesses naturally a cruel and ferocious disposition; but the more reflecting philosopher will discover that other causes are in operation, less derogatory to human nature. How

* "Examen Médico-Légal des Faits relatifs au Procès Criminel de Jobard." Par J. Artaud, D.M., Médecin en Chef des Aliénés de l'Antiquaille. Paris et Lyon: 1852.

are we to account for the gratification which people derive from witnessing the performance of a deep tragedy? The explanation appears to us obvious. The desire of indulging in emotions of pity is, as Dugald Stewart has shown, one of the active principles of the human mind. There is a conscious pleasure in the anticipation of this excitement; hence persons of sensibility enjoy, even through the haze of tears, pathetic situations on the stage. They provide themselves with handkerchiefs, knowing they will weep with unaffected sincerity, and not as Juvenal describes the hired mourners at a Roman funeral, who "with well-feigned tears their eyes they taught to weep." The same principle induces many persons to witness an execution. But, without dwelling on the causes which have in all ages, and among the most enlightened nations, congregated together such immense masses of people to witness these cruel exhibitions, let us concentrate our attention upon the poor wretch who stands trembling with fear on the brink of eternity, for, as in one of Rembrandt's awe-inspiring conceptions, amidst the gloomy concourse of the multitude around him the whole light of the picture falls upon that solitary figure, surrounded as he is by the ministers of justice, who are themselves doomed to execute the sentence of the land. Upon this miserable object let us, we repeat, fix our attention, and endeavour, as psychologists, to trace the causes, whether physical or moral, which have urged the mind through so many guilty phases; for we may rest assured that vices are transitional, and increase in their enormity as the turpitude of the one becomes absorbed in the turpitude of the other; hence no man ever, on a sudden, became thoroughly abandoned: *Nemo repente fuit turpissimus*. There are gradations in crime—successive stages of mental perversion and moral degradation. The problem therefore which we propose to ourselves is one of deep and perplexing interest: its solution affects the pure administration of justice, and the welfare of every community.

The accomplished Madame de Stael, in one of those brilliant essays in which she so often and unexpectedly brings into dazzling and fascinating light some of the most recondite truths in philosophy, observes that "man is complete in every individual man." In other words—or rather to follow up this observation—the type of one individual mind is common to all mankind. There are certain fixed and permanent principles of action which are universal, and govern the whole human race. The law which Geoffroy St. Hilaire pointed out as visibly determining the uniformity and unity of organization throughout the animal creation, is not restricted merely to physical structure, but governs also our mental and moral constitution; hence the same faculties, the same feelings, the same sympathies, are in constant operation. The mind of a Bacon or a Newton, a Shakspeare or a Milton, represents the

type which must ever characterize the mind of every great philosopher or great poet;—with different degrees of success, they must cultivate the same faculties. And so also is it with our moral nature. The good who are immortalized by their virtues bear in the features of their character a certain resemblance to each other: they are like stars at different altitudes illumining the same heaven. The evil-disposed, on the other hand, preserve the same type of wickedness, varying only in degrees, according as their crimes may reflect intenser and darker shadows on the face of humanity: hence Domitian, Caligula, Nero, do not stand alone; they have their prototypes and rivals in the eastern and in the western world—the Ali Pachas and Zingis Khans, the Robespierres and Dantons, and other monsters as execrable, for the type remains constant. With other criminals more vulgar than were any of the twelve Cæsars it is the same: “Man is complete in every individual man.” Upon this principle therefore we are justified in selecting any conspicuous criminal for the purpose of analyzing the state of mind—whether in health or in disease—which existed when he perpetrated the offence, and the particular motives, as far as they can be discovered, by which he was actuated.

Without entering into any profound psychological disquisition respecting the principles of human action, it will, we apprehend, be at once admitted that all our actions originate from causes acting from without or from within. They are objective or subjective. A man exposes himself to temptation; he listens to and hears the plan laid down for a highway robbery or for committing murder, and he calculates the amount of booty and the advantages he is to obtain. All this is external, and purely objective. The reflections, however, to which the proposal gives rise, originate in the mind itself, and suggest a series of impressions which are purely subjective. The desire of gain, or many other motives, soon begin to tamper with the understanding, and obscure the judgment; reason, no longer under its own educational control, then misapplies its divine attributes, and lends its powers to assist in the consummation of the crime devised: hence objective causes give rise to a long series of subjective mental operations. In such cases the intellectual faculties may be in their normal or healthy state, and deliberately reject the remonstrances and admonitions of conscience; there are, however, other cases in which the mind itself, participating visibly in defective or diseased cerebral organization, is obviously weak and incapable of any subjective power of resistance. We may, indeed, satisfy ourselves on this point, by comparing the heads of criminals upon a large scale with the heads of lunatics—the interior of a gaol with the interior of a public asylum. Every civilized nation has allowed the existence of insanity to be received as an exculpatory plea in criminal cases; and

although our courts of justice too frequently present the unseemly exhibition of expert counsel endeavouring to puzzle witnesses, and perplex the evidence, by quibbling with physicians unaccustomed to the tactics of cross-examination, for the purpose of obtaining a verdict in favour of the side upon which they are retained,—still the broad fact is admitted, that the state of the criminal's mind is to be taken into consideration, and his responsibility or irresponsibility determined by medico-psychological evidence. "The judgment of the court," says Hoffbauer, "ought to be governed by the opinion of the physician; and no physician should be permitted to give evidence who has not made a speciality of the study of mental diseases." In a tragedy by a favourite modern poet, one of the judges, in passing sentence on a state prisoner, is made to observe significantly, "We try the crime, the motive heaven will judge;" and many a victim, really insane, has been so sacrificed; but a more benign spirit pervades the principles of Christian legislation. The crime *alone* is not to be tried in the abstract; but all the circumstances attendant upon its perpetration are to be taken into consideration. We gather from the highest legal authorities, that death upon the scaffold—the *ultimum supplicium*—is not intended to avenge the outraged laws of humanity, but to deter others, by example, from committing the like offence. "The execution of an offender," says Sir Edward Coke, "is for example," *ut pœna ad paucos, metus ad omnes perveniat*; and he adds, that the execution of a madman would be a "miserable spectacle," and one of "extreme inhumanity and cruelty," because it could not be regarded as an example to others, the irresponsibility of lunatics being universally recognised.

Unfortunately, however, insanity assumes so many forms, and presents itself under such a variety of aspects, that the plea is, we admit, often very disputable. It is upon these occasions, we conceive, that the *opinion* of the medico-psychologist, founded upon facts which accord with his observation and experience, should be permitted to weigh as evidence; for in all other cases of medical jurisprudence, affecting the cause of death by violence or accident, the *opinion* of the profession is held to be sufficiently valid to be received for the guidance of the jury; but in adjudicating upon the existence or non-existence of insanity in criminal cases, medico-psychologists are constantly desired by the court to adhere to *facts*, and not to give opinions, as if, indeed, the opinion of a medical man, derived from observation and experience, were not the interpretation of a fact as he beheld it; for, after all, it is the opinion he forms of symptoms which can alone guide him in the treatment of every disease, whether it be bodily or mental. The truth is, that all people, in the weakness of humanity, fancy themselves capable of pronouncing judgment upon each other's motives and actions; and

when cases of great medico-legal interest come before our public courts, non-professional men, who may be excellent lawyers, but who have not investigated the pathology of the mind in connexion with the functions of the brain and nervous system, and who have had no experience in insanity, fancy themselves as capable of drawing a proper diagnosis, and pronouncing a valid opinion, as men who have for many years devoted themselves to the study and practice of this department of the profession. We believe the time is not far distant when the progress of medico-psychology will vindicate the authority of medical men who make insanity a special study. In the meantime, obscure and doubtful cases will necessarily continue to provoke vague and irrelevant discussions. To return: it must be acknowledged that in many cases there is a very great difficulty in drawing the line of demarcation between sanity and insanity, nor are the rules laid down in the text-books upon medical jurisprudence by any means satisfactory. Nosological definitions are useful in enabling a student to methodize his study of diseases incident to the body; but in actual practice these distinctions are soon lost sight of: it is the same with the generally accepted classifications of mental disease. There is, however, one form of insanity which must be familiar to every practical observer--viz., monomania, which comprehends that form of disease in which the mind is under some specific delusion, or some one morbid train of ideas, which no power of reason can rectify. Some recent authors upon insanity have ventured to doubt, upon very insufficient grounds, the existence of monomania; because, they contend, the order and succession of the morbid phenomena implicate generally the aberration not of one, but of many of the mental faculties. This is purely a psychological error; for, as Sir William Hamilton has remarked, "it should ever be remembered that the various mental energies are only possible in and through each other; and our psychological analyses do not suppose any real distinction of the operations which we discriminate by different names. Thought and volition can no more be exerted apart, than the sides and angles of a square can exist separately from each other." We cannot disentangle and separate the intellectual faculties as we might the threads in a skein of silk; thus, the operations of imagination blend almost with every form of thought and feeling; hence Wolfe observes, "*in omnem actum perceptiones influit imaginatio.*" We do not, in speaking of monomania, refer to the aberration of a single faculty, but to the fact of the mind, with all its faculties collectively, being absorbed in a false impression upon one subject, while upon other subjects it is capable of thinking and reasoning correctly. The celebrated visionary Swedenborg, who was constantly in a state of ecstatic mania, fulfilled the duties of his office so well that the king of Sweden ennobled

him. The late estimable Dr. Prichard states, in his work on Insanity, that he knew a doctor in laws who had taken it into his head that all the freemasons had entered into a league against him; yet in other respects he was perfectly sane, and held with credit a chair in an university. We will grant that the mind of such persons, if carefully watched, may be found in some instances to be not altogether in perfect health; but the predominant illusions being confined to one train of associations, the prefix *μωνος* to the substantive term *mania* appears to us peculiarly well chosen to designate this disease. Shall we deny that a man who is under the delusion that he is the emperor of the world (such a patient we now have under our care), yet who can talk coherently on other subjects, is labouring under monomania? There is, perhaps, not an asylum in the kingdom which has not within its walls some patient or patients who are deranged upon a given subject, yet rational upon all other topics, and perfectly capable of entering into the amenities and participating in the pleasures of society. "The word monomania," says Esquirol, "involves neither a system nor a theory; it is the expression simply of a fact observed by the physicians of all ages." It often happens, observes Daquin, that a person who is very intelligent and sensible upon other subjects, is as much deranged on some particular point as any of those patients who, being declared lunatics, are confined in asylums. He adds that intense and long-continued reflection may produce some violent and sudden impression on the brain, which may give rise to erratic ideas which become indelibly fixed upon the mind. When, therefore, we use the term monomania, we do not contend that the mind may not be weak and vacillating on many subjects, but simply that this form of insanity is characterized by the predominance and persistency of one particular delusion, which may affect either the intellect or the moral feelings, or implicate the derangement of both. And here it is important to observe that we cannot take a philosophical view of any of these cases without bearing in mind that the disorder may consist either in a derangement of the intellectual or the moral faculties, that is to say, a clear distinction must be drawn between intellectual insanity and what Dr. Prichard has designated moral insanity—the "*manie sans délire*" of Pinel, the "*manie raisonnante*" of Esquirol. We are indebted to Dr. Prichard for having, in his treatise on Insanity, very clearly identified and established the existence of moral, independent of intellectual insanity. In such cases there is a morbid perversion of the feelings, affections, and active powers, without any illusion or erroneous conviction being impressed on the understanding. There is no disturbance of the intellectual faculties, which, nevertheless, cannot control the moral conduct. Cases of this description constantly occur.

About two years ago, without being provided with the usual forms of admission, a gentleman presented himself at a lunatic asylum in the metropolitan district, and begged that he might be received as a patient. He stated that he had just left his solicitor, from whom he in fact brought a letter of introduction, confirming his account of himself, and that it was necessary he should be placed under some form of restraint, for he had an irresistible desire to murder his wife or one of his children. He then added, that the preceding day he was walking in his garden, when he saw his wife and little girl approaching towards him. His eye at the same moment caught the sight of a hatchet lying on the gravel walk, and he described that he had the greatest struggle within himself to escape out of the garden before he seized it to strike, perhaps fatally, one or other of them. He loved his wife and child, he affirmed, dearly; but the homicidal idea haunted him continually, and he felt that he could not trust himself alone in their presence. It should be added, that the last night he slept at home he did attempt, in the middle of the night, to strangle his wife, and would have succeeded had not her cries in the scuffle brought in timely assistance. In the midst of all this, during the explanation he gave of his case, he expressed himself well and rationally. His intellect appeared to be unclouded, and it turned out that he was at the same time in communication with his solicitor respecting some proceedings in the Court of Chancery, upon which he gave perfectly sane instructions. After some necessary delay, in order to procure the forms prescribed by the act of parliament, he was admitted into the asylum; but always when his wife or child came to see him, he required an attendant to be present at their interview. Here we may remark that Esquirol repeatedly declared his conviction that there exists a species of homicidal madness, in which "no disorder of the intellect can be discovered." The murderer is driven, as he describes, by an irresistible power; he is under an influence which he cannot overcome—a blind impulse without reason. It is impossible to divine the motive which induces him, without interest or disorder of the intellect, to commit acts so atrocious and so contrary to the laws of nature. On the criminal side of Bethlem, and in the county asylums where homicidal lunatics are confined, many such cases will be found. We were told by Hatfield, who lately died in Bethlem, that when he went to the theatre prepared to shoot George III., he perceived and reasoned clearly enough upon all that passed around him. The idea which possessed him was, that if he could kill the king, the Messiah would immediately appear on earth, and the reign of the millennium begin; and, in illustration of his self-possession, he mentioned that, when standing at the pit-door expecting it to open, the people around pressed and crowded inconveniently upon him, when a young woman, putting

her hand upon his shoulder, said, "Sir, you are hurting me ; the handle of your umbrella is running into my bosom." "I could not," he added, "help smiling at the time ; for the handle of what she supposed my umbrella was the handle of my pistol, which I held concealed within my coat, under my arm."

We were some time ago consulted by the friends of a gentleman, who was a highly-educated and accomplished man, and a very agreeable companion. We could not in conversation detect any aberration of the intellectual faculties ; but he had a propensity to set fire to various descriptions of property (*pyromania*). He had set fire to his own premises, and had contrived afterwards to set fire to three different lunatic asylums in which he was successively confined, but fortunately neither of them was destroyed. He was, as a matter of course, in the house to which he was next sent, closely watched ; but after his death, it was found that he had managed to secrete a number of lucifer matches within the lining of his hat. It is well known that many persons have an irresistible propensity to steal, and, without any assignable motives, will commit petty thefts in the houses of their friends, and in public shops. Such cases frequently come before the public. This morbid propensity is exhibited by many declared lunatics, who will steal and accumulate in different parts of their dress all sorts of articles—nightcaps, handkerchiefs, forks, spoons, tobacco pipes, rags, bits of iron, half-picked bones, portions of bread, cheese, &c. We knew a patient who was permitted, in a lunatic asylum, to indulge harmlessly this fancy. When stripped of this miscellaneous gear, he appeared a thin and lathy figure ; but presently his clothes would begin to expand around him, and he would increase in size until it became necessary to unpick the lining of his coat, waistcoat, breeches, and relieve him of his imaginary booty. We have also heard the case of a poor woman, who, after wandering about in the open country in a state of lunacy, was sent to an asylum, where she for a long time persisted in refusing food, unless she could steal it ; her meals were therefore put in an out-of-the-way corner, on purpose for her to take her food clandestinely, which she habitually did, under the idea she was stealing it. Suicidal mania is another variety of this form of disease ; it is known to be hereditary, and to prevail at certain seasons of the year. Sometimes, also, it is epidemic. This morbid propensity—which overcomes the strongest of our natural instincts, that of self-preservation—frequently co-exists with a perfectly healthy state of all the intellectual faculties.

Among those cases of moral insanity which most frequently demand legal adjudication, and which always excite great public interest, are those of homicidal monomania—men arraigned for murder, who were the victims of this morbid propensity, which they could not control or resist.

In the case of the gentleman above referred to, there was no aberration of the powers of reasoning; his judgment was unimpaired, and he was, excepting under this impulse, habitually self-collected. The moral perversion of his nature nevertheless required to be controlled, and if possible corrected. The opinion of Dr. Prichard is, that all cases of monomania begin with a disordered state of the feelings and inclinations, and end in producing intellectual insanity. We know a gentleman subjected to restraint, and there are many similar cases under similar circumstances, in whom this morbid propensity is very strongly developed; he is habitually restless and agitated; and if he cannot kill one person, he would fain kill another. When asked by what motive he is actuated, he evades the question. "Has the person you threaten ever done you wrong? have you any feeling of hatred against him?" "No," he will answer, "not the least; but he must die!" in saying which he will make a gesture, as if assassinating or striking him; yet does this person not labour under any delusion or hallucination to which the suggestion can be ascribed. In the same asylum is a female patient, in humble circumstances of life, who constantly implores that her hands may be fastened behind her, lest she should attack, for the purpose of killing, persons around her, or destroy herself. The whole conversation of this woman is homicidal and suicidal; she has attempted self-destruction; she constantly says she knows and feels she is shaken in her mind, but no specific delusion or hallucination of any kind appears to exist.

One of the most remarkable and interesting cases illustrating this form of insanity, homicidal mania without aberration of intellect, recently occurred at Lyons; the medico-psychological evidence has been collected and published, with observations by Artaud, whose work has suggested the previous observations. Anthony Emmanuel Jobard was born on the 4th of February, 1831, in the village of Essertenne, Haute Saône; his parents were respectable; and his mother and younger sister are described to have been very religious. The infancy of Jobard was passed at home, without the occurrence of any remarkable incident; at twelve years of age he was admitted to communion in the Catholic Church; and the priest of Essertenne declared that no child ever gave him greater satisfaction. His habits were regular, his disposition gentle, and he was very social and kind to his companions, with whom he was a great favourite. Having received his first communion, he attended mass regularly, assisted in the offices, and was punctual in the discharge of his religious duties; nevertheless, at this early period of life he addicted himself to a degrading and solitary vice. At thirteen years of age he left his native village, and with letters of introduction from his late pastor, he was sent, to complete his religious

education, to M. D'Oigny, the canon of Dijon, and here remained at school for three years; leaving the house only to go to the lodgings at which he slept. Here also he is reported to have given his master every satisfaction; but whatever may have been his exemplary conduct outwardly, at the expiration of this time,—when, be it observed, he was only sixteen years of age,—in addition to the vice to which we have adverted, he began to frequent the society of disreputable women. His career of vice began therefore at a very early age, and causes were brought into operation which notoriously pervert the moral feelings, and undermine the strength of the intellect. We are no apologists for crime. The young Jobard had already entered the seductive labyrinth of temptation, and, doubtless, gave unbridled indulgence to his passions: albeit, in the presence of his preceptors he maintained the appearance of being a virtuous and well-conducted youth. The good canon at Dijon was already interested in his welfare; and being now sixteen years of age, and old enough to prepare himself for the active business of life, under his recommendation he was received as a clerk in the establishment of M. Thiebaut, a highly respectable clothier and draper at Dijon. This mercantile firm, which had been long established, bore a high character; the persons employed in it were boarded and lodged in the house, and their conduct, as a matter of course, subjected to the general surveillance of the heads of the family, it being understood that any one who committed any infraction of the rules of religion and morality would be liable to summary dismissal. Upon these terms Jobard was admitted, and received, independent of his board and lodging, in the beginning 200 francs a year, which sum was gradually raised until it reached 450 francs. His conduct continued to all appearance good: he was kind, affectionate, and sober; fond of playing with the children of the family; and the care he took of a pet lamb obtained for him the title of "*Père nourricier de l'agneau*," a circumstance indicating elements and feelings of humanity which should not be lost sight of in the sequel. Here also he was constant and punctual in the discharge of his religious duties; he assisted in the service of the church on Sundays, attended the sermons which were delivered at Christmas, confessed and took the sacrament at Easter; all which, it is stated, he did without any apparent ostentation. There can be no doubt, however, that he still privately—when absent from the house of his employers—persisted in the same immoral habits, which he carried to an inordinate excess, and, at the same time, blended his misconduct with religious, or we should rather say, superstitious feelings often reasoning upon scripture passages, and addressing exhortations of reformation to his reprobate companions. He would advise the ver-

females with whom he associated to give up their vicious course of life, and on one occasion took very great pains and interest in endeavouring to recommend one of these unfortunate women to retire into a convent, and there expiate by penitence the errors of her past career. This may appear strange, but the contradictions in human nature are very marvellous. The notorious Burke, who was hanged for murder in Scotland, which he committed for the purpose of selling the remains of his unfortunate victims to the anatomical schools, was very partial and kind to children. He preached religious sermons, and the whole series of his murders was suggested by his confederate Hare reading aloud one winter evening the death of Ben-hadad by Hazael, in the second book of Kings.* Incompatible as true religion must ever be with every description of crime, yet we frequently find the almost inarticulate voice of conscience reminding the worst natures of its mandates. Once deeply and at an early age implanted in the mind, true religious and moral principles cannot easily be uprooted, but spread like pure ore through a corrupt soil, blending with elements it fails to purify. We do not accuse such men of hypocrisy; they express in such moments feelings which have become a part of their moral constitution, and which can never be thoroughly eradicated.

These habits of criminal self-indulgence, commenced, as we have seen, so early in life, soon began to undermine the health of Jobard, whose nervous organization, while yet a youth, could not fail to become thereby enfeebled, and otherwise affected. The health and spirits he had enjoyed in the little village of Essertenne, soon failed him at Dijon; he suffered frequently from intense headache, attended with a sense of weight upon the brain, giddiness, and a general feeling of bewilderment; which distressing symptoms ended in a copious bleeding from the nose, which doubtless relieved the cerebral congestion. On one of these occasions the attack assumed a very alarming character, as may be inferred from the following account given by Dr. Noirod, a physician at Dijon, who, upon the occasion of the trial to which we must presently refer, made the following deposition, in the form of a certificate or affidavit. We translate it literally: "I, the undersigned, Doctor of Medicine of the faculty of Paris, certify as follows:—A few years ago, the precise date of which I can scarcely determine, but which,

* This is a very curious fact. The diabolical suggestion arose from Hare reading the account given (verse 15, chap. viii.) of the death of Benhadad, who was thus killed by Hazael: "And it came to pass on the morrow, that he took a thick cloth, and dipped it in water, and spread it on his face, so that he died." Burke and Hare adopted the same plan. They made their victims drunk, and then covered the mouth and nostrils with wet cloths. Sometimes, by kneeling on the epigastrium they forced a deep expiration, which emptied the lungs, and the wet cloths prevented the re-admission of the air. This murderous method was so physiologically scientific, that it was suspected to have been suggested by some anatomist. This was not true; the above statement came out in evidence.

from different circumstances, I believe to have been in the winter of 1844-5, I was called one evening by Madame Perle, a "*sage femme*" at Dijon, to attend a young man who was lodging in her house, Ant. Em. Jobard. They informed me, upon visiting him, that he had for many days previously complained of severe headache, and that he became on that morning delirious. He was so when I saw him; and from this fact, the state of his pulse, and other symptoms, I apprehended inflammation of the membranes of the brain (*meningitis*). Accordingly I proposed that he should be immediately bled; he obstinately, however, resisted the operation, and I thereupon ordered the application of leeches, and then withdrew. The following morning, I found the application of the leeches had been neglected; but during the night a very copious nasal hæmorrhage had taken place, which salutary crisis cut short the disease. He no longer complained of the sense of weight and pain in the head, accompanied by general weakness, which he had endured during the whole of the previous week. I heard no more of the patient, and lost sight of him up to the present period. (Signed) L. NOÏROT, D.M.P.; and dated Dijon, 7th November, 1851."

We have already referred to the opinion of Dr. Prichard, that moral insanity frequently terminates in intellectual insanity, the disordered state of the feelings eventually affecting the faculties of the mind and the brain. Professor Heinroth goes further than this; he contends that moral depravity is the essential cause of insanity. Violent passions, sinful indulgences, want of mental discipline, upon this theory give a preponderance so impetuous to all the evil tendencies of our nature as to completely destroy the power of self-control, and subvert the understanding. The case of Jobard would appear to go far in supporting the theory of the learned professor; indeed, there can be no doubt that extreme indulgence in vicious propensities, habitual intemperance, and depraved habits generally, will produce disease of the brain and nervous system; the predisposition, however, to this self-abandonment may be regarded as a disease in itself, and will be frequently found to be hereditary. To proceed, however, with the history of Jobard. On the 12th of September, 1851, he left the house of his employers, not premeditating the tragedy in which he was about to perform so conspicuous a part. His cousin had commissioned him to buy some windows for a church; and remitted him 50 francs, which was the maximum price he was to give.

On Sunday, the 14th of September, he attended mass, and afterwards vespers, as usual, and after the latter service, went to a restaurant's with three of his fellow-clerks, belonging to M. Thiebaut's establishment, and there they dined together very cheerfully, nor did either of them

drink to excess. When the dinner was over, Jobard suddenly rose from the table, and left his companions, following hurriedly into the street a German singing girl, with whom it appears he went home. He remained with her about ten minutes, and then returned to the café, when he called for a glass of *kirsh*; his expression of countenance was anxious and haggard, and the waiter noticed that he was much agitated. Immediately afterwards he took up his cane and hat, and without saying a word to his companions, who were still at the table, he again sallied out, and went in search of a cutler's shop, for the purpose of purchasing a knife; but it was after nine o'clock, and the shops were then shut. Foiled in this intention, he directed his steps to a house of ill fame in the Rue Quentin, where he passed the night. His conduct there, which we abstain from describing, was exceedingly extravagant—apparently insane. About two o'clock in the morning, he hastily dressed himself, said he must be off by the railway to Paris, and, without uttering a word, left the house; and without being prepared for the journey, proceeded to the railway station, and asked for the first train to Paris. He was informed it would not be there until seven o'clock. The train, however, for Châlon, came up while he was talking, and he instantly took his ticket, and proceeded *en route* for Lyons. Arrived at Châlon, he took an omnibus which conveyed passengers to the steam-boat which leaves the pier of that town for Lyons. We must now premise that we are tracking the steps of an assassin—the question of homicidal monomania will be presently considered. In the train from Dijon to Châlon, he tells us that he could not explain the nature of his feelings; he could not think or reflect on anything—(*j'avais la tête vide*;) he ate a little, however, on the way. Arrived at Lyons, he felt much fatigued, and walked mechanically to a restaurateur's, where he dined. He drank half a bottle of wine, but ate very little. During dinner, he asked the waiter to direct him to a cutler's. The man did so, but Jobard could not find the house; he therefore got into a cabriolet, and desired to be driven to a shop where they sold knives, where he bought a knife, with as much coolness as if it had been a lead pencil, or any other harmless article. This done, he sought out and entered another house of ill fame in the Rue de la Cage, determined, he afterwards stated, to kill one of the female inmates. He was introduced to a girl named Rachel; he remained with her half an hour, but she was so pretty that his arm was arrested—he could not strike the blow—and was tempted to delay for a few hours his resolution; he therefore left her, promising to return to her at night after the theatre, and he adds, that if he had done so, he would have stabbed her in her sleep, (*je lui aurais percé le cœur pendant son sommeil*.) This resolution, he confesses, he did not take without some qualms of apprehension, for he was afraid that before he

could effect his escape he would be torn to pieces by the exasperated women of the house.

This happened on Monday, the 15th of September, 1851. Upon arriving in the town, he stopped as he walked along the streets to read a bill of the play, and he determined to go to the Théâtre des Celestins. Upon leaving this house, therefore, after walking for about ten minutes in the Jardin des Plants, he went to a café opposite the theatre, and there waited until the doors opened. He then paid for his admission and took his seat in the gallery, *aux premières*, but at the end of the first act of the second piece, which was entitled *Adrienne Lecouvreur*, he changed his place, and went into the amphitheatre, where he sat down behind a pillar. He there saw at a little distance from him a little girl about ten years of age; he grasped his knife, and would have killed her, but she was beyond his reach, and he could not move towards her without attracting attention. Another little girl, apparently between twelve and fifteen, sat nearer and a little to his right, but she too was beyond his grasp. His attention was next directed to a lady who sat immediately before him; she wore a gray silk dress, and as he stood up and looked down upon her, he saw a portion of her breast uncovered; but at this moment he heard steps behind him, and looking round saw the manager of the theatre, whom he knew personally, and who had just entered the house by a door near him. He instantly pretended to be cleaning the nails of his fingers with the knife; turning towards him, he smiled, and after exchanging a few gracious words with each other, the manager passed on. Suddenly, a scream, sharp and piercing, resounded through the house, and persons were seen rising confusedly around the place whence it proceeded. The fatal deed was perpetrated. With deadly aim and force, he had plunged the knife into the bosom of the unfortunate lady, and as she uttered that thrilling shriek, she withdrew with her own hand the knife from the wound, and, covered with blood, fainted in the arms of the persons near her. Her husband, who was sitting next her, not having any idea of the fatality of the blow, turned round upon the assassin, and exclaimed, "What have we done to you, that you should thus strike my wife?" "Nothing!" answered the imperturbable Jobard; "you have done nothing!" He stood calmly with his arms crossed upon his breast, and added—"I am a miserable being; do what you please with me; it is not my wish to escape!" He was immediately arrested; he did not make the slightest resistance, and as he was being conducted to the Hôtel de Ville, he said, "I am well content," (*Je suis satisfait actuellement*). In the meantime, the poor lady was removed into the "*foyer*," (the green-room of the theatre;) the wound now appeared evidently mortal, and in about five minutes she expired. She was a

young woman, the daughter of M. Chabert, the *Proviseur* of the Lyceum at Limoges, and the wife of M. Ricard, the Professor of Mathematics in the same institution. Melancholy to add, she was in the family-way—*enceinte de six mois*. As he struck her from behind, she never even saw the person of her murderer.

The excitement and consternation produced by so tragical an event, very naturally spread through the whole city. Who was the assassin? By what motives was he actuated? An eye for an eye—a tooth for a tooth—blood for blood—was the instinctive outcry of popular fury; and if he could, like the wretched parricide, Damiens, have been torn to pieces by the force of horses driven furiously in opposite directions, to which his limbs were attached, and had had melted lead poured into his eyes and ears and veins, the multitude, exasperated at the fate of so innocent a victim, would not have bestowed the slightest sympathy upon his agonies. But we live in a Christian age; the criminal code of enlightened nations no longer sentences the infliction of torture; for justice must ever now be tempered with that divine mercy which becomes

“The thronéd monarch better than his crown,

* * * *

And is the attribute of God himself.”

There are, it is true, some persons, and we have met with several, who contend that, sane or insane, every man who takes away human life should himself be put to death; which summary judgment would cut the Gordian knot of every medico-legal difficulty; but, in accordance with the milder dispensations of Christian jurisprudence, it behoves us to take into consideration all the exculpatory and extenuating circumstances which might have existed. We agree with Herr Heinroth, that in such a case as the above, sin and madness would appear to be identical, for who can determine the exact point at which the power of self-control may cease to influence human actions? True, many criminals are hurried onwards by an impulse which they cannot repress; but who can determine the resisting powers of motives which must escape analysis? How can we decide, within the secret sphere of another man's mind, where his responsibility ends and his irresponsibility begins? We would repudiate entertaining or pandering to notions of false humanity; the poor wretch we have described upon the scaffold trembling on the brink of eternity may have deserved his fate, and we will not in that case join the sympathies of the unthinking crowd of spectators; but when the existence of insanity is clearly proved, and its symptoms have been as unequivocally manifested as those which characterize any physical disease incident to the human body, then we hold that the plea of insanity ought to be unequivocally

admitted. How does it happen that crime appears to be so often hereditary, independent of the force of example, unless there were a predisposition in the human mind to succumb to its evil influences? The members of one particular family will, through a whole generation, be found to have been addicted to incurable drunkenness—those of another, successively imprisoned or transported for theft or burglary. There can be no doubt that insanity is hereditary; and so are the vices of successive generations; but it deserves to be noticed particularly, that insanity, in its transmission, will assume different forms. The monomania of one man may be on religion; his next of kin may have the disease under the form of suicidal or homicidal mania: which is the case with one of the patients above referred to, who has a near relation at the Agapemone, who believes in the inspiration of Mr. Prince, and the divine ordinance of playing at “blind hockey.”

To proceed with the history of Jobard. He was conducted a prisoner to the Hôtel de Ville, and placed in one of the dungeons, where his first care was to take the sleeves off his paletot, to prevent them being soiled, and then he fell on his knees in prayer. He conducted himself during his examination before the “Juge d’Instruction” with great calmness; his countenance maintained its usual expression, and his pulse was regular, and between 65 and 70 in the minute. When informed of the death of Madame Ricard, he said, “Dead, is she?—so much the better; since I wish them to put me to death.” He then asked if there had been time for her to see a priest before dying, and, upon being answered in the affirmative, and informed that he had prayed for her, he expressed his satisfaction, and added, “I am sorry I was obliged to put her to death; I pity her and her family, and in that sense I regret it; I shall repent before God; as for me, I cannot make myself better understood than by saying,—I regret nothing.” In his first examinations he persisted in the same tone, confessing but not regretting the act; on the contrary, he said, “I always knew, even when I contemplated it, that it was a crime for which I was responsible before God and man.” He confesses, “I bought the knife as coolly as I would a crayon, or anything else. I struck her as I would have done a block of wood” (“*je la frappai comme j’aurais frappé un morceau de bois*”). At another time he said, “I committed it without reflection. If I had reflected properly—if I had confided in any one—if they had made me reflect upon it—I should have desisted.” The murderous weapon was produced before him; he looked upon it with indifference. The distressed husband was confronted with him, and he evinced very great emotion. He was then conducted into the presence of the dead body, and when he beheld his victim, he appeared on a sudden horrified, became extremely agitated, and his pulse rose,

gave 88 pulsations in the minute, and was thready and intermitting. He appeared unable to support himself, but nevertheless he almost immediately recovered his self-possession, and spoke with his usual calmness. Upon leaving the room he again appeared much affected ; bewailed the fate of his victim, and the distress of her family, but for himself, he again added "*I regret nothing.*" The following day he was again examined at the Palais de Justice, and now, he altogether altered his tone ; "If my time," he exclaimed, "were this day to come over again, I would not commit the deed I have done ; yesterday I endeavoured to render my condemnation inevitable ;—to-day I would desire to live ; if that were permitted me (he continued, with apparent emotion), I would seek the *frère* Manuel, and lay my heart open to him as I now do to you ; my repentance would then, I think, be complete ; I cannot yet sufficiently explain my conduct, but I feel myself already so far changed." Since his imprisonment, it should be observed that he had experienced nasal hemorrhages, which may have relieved the brain, and conduced to the return of a more natural state of feeling. He now appeared to be more afraid of death than he had ever before been ; he continued restless and agitated, and his sleep was disturbed by frightful dreams ; nevertheless, after he had confessed himself, and received absolution, he informed M. D'Artaud "that his mind had regained its composure." "Do you think," he was then asked, "that after having premeditated and committed so atrocious a crime, confessing it, and receiving absolution, is a sufficient reparation ?" "Yes," answered Jobard, "*lorsque j'aurai terminé ma pénitence !*"

We have hitherto not alluded to one very striking feature in the character of Jobard—viz., his consummate hypocrisy. We have seen him while yet a boy preserving outwardly the most exemplary and virtuous conduct, yet indulging at the same time secretly in the most vicious habits ; hurrying, after assisting at mass and at vespers, from the church to the brothel ; and when we read the confessions which he made before the magistrates, and particularly in the letters he addressed to his family, we shudder at the expressions connected with religion which are interwoven, as if to palliate his wickedness. He tell us that the hypocritical life he had led weighed (as well it might) upon his conscience ; he determined, therefore, to become really religious, and endeavour to ensure his salvation. "It was impossible for me," he writes to his sister, "to expect salvation from the conduct I pursued ; I had not force of resolution enough to change my mode of life, and I therefore said to myself, if I once kill a person, I should repent, I would do penance, and God, who is good, would forgive me." One of his first resolves, then, he pretends was to assassinate a priest as he was leaving mass ; his soul, he tells us, would then have mounted

directly into heaven, and he would have prayed and interceded for the forgiveness of his assassin. He then proposed to enter upon a soldier's life, with the idea of being killed in action, and so ridding himself of his burthensome life; but his mother, we are assured, dissuaded him from this project. He next thought of selecting for the sacrifice he meditated, some infant, the soul of which, never having committed sin, would enhance its powers of intercession on his behalf. Once also, it is said, that he thought of joining in a conspiracy to assassinate the President of the French Republic, and meet his death as a regicide. The idea of committing suicide also occurred to him, but a pious horror of self-murder restrained his hand from the poisoned cup or dagger; so he ascribes to his sense of religion the merit of having resisted this evil suggestion. We candidly confess, however, that we place no reliance upon these different confessions, which bear upon their face the evidence of being, as far as his motives are concerned, tissues of contradictions. The apology for his crime, the idea "*J'ai tué pour être tué,*" never peeps out until after his arrest; and upon his trial it will be found that he endeavoured to repudiate that explanation in his anxiety to make the act appear, by his answers to the court, not to have been premeditated. We have, as a general principle, no confidence in the last dying speeches and confessions of criminals, which are concocted in the condemned cell, to justify or palliate their crimes; many of them are suggested by a very natural desire to appear in their last moments to the best advantage, and excite the sympathy of the public; and many, perhaps the greater number of men in such an appalling situation, are so confused and bewildered, that they are unable to give any true or accurate history of the motives which influenced them. We believe Jobard to have been not less a hypocrite after than he was before he perpetrated the assassination; and his whole conduct appears to have evinced a sense only of guilty cowardice. He trembled at the prospect which awaited him; he coquetted with religion and prevaricated with truth every time he opened his lips.

Immediately after the crime was committed—within a few hours—the medico-legal question arose as to the condition of his mind: When he perpetrated the act, was he sane or insane? An ordonnance was issued immediately by the *Juge d'Instruction*, requiring Dr. Magaud to examine and report upon his physical and moral state; and Messrs. Tavernier and Gromier, physicians frequently called upon to give medico-psychological evidence before the criminal tribunals, received the same mission. The conclusions arrived at by Dr. Magaud were, that the act was premeditated; the motive alleged in his declaration was insufficient to prove any aberration of the intellectual faculties; that there was a continual conflict between his religious ideas and

sensual instincts, which may in some degree have obscured his understanding; but that his sense of moral responsibility, although enfeebled, was nevertheless not destroyed, therefore the evidence was not sufficient to be placed in justification of the crime, although it might be urged in mitigation of the punishment. The report of the Doctors Tavernier and Gromier, in which they also recapitulate all the circumstances of the case, terminated in opposite conclusions. 1st. They were of opinion that at the moment Jobard committed the act he was in a state of dementia (*monomania homocido-suicido*). 2nd. That Jobard could not be considered responsible for an act which he committed without the participation of his will. 3rd. That as this description of insanity leads to disastrous consequences, society should exercise its right of placing Jobard in a situation to prevent him committing any other outrage, and that he should be confined for life in a lunatic asylum.

The result, therefore, or rather the opinions expressed in both of these reports, are thus far approximative; the one recognises enfeeblement (*affaiblissement*), the other derangement of the moral sense. The one pleads for mitigation of punishment, the other recommends deprivation of liberty, and confinement, for life, in a lunatic asylum. The view taken by Dr. Arthaud, who has been at the pains of collecting the whole evidence in a very circumstantial manner—not, indeed, omitting the most trivial circumstances that could be interpreted in his favour, is, that Jobard, when he committed the act, was insane—and that his insanity was characterized by a general disturbance of the intellectual faculties; in support of which opinion he refers to the fact, that insanity, in different forms, had declared itself both on the paternal and maternal side of his family. His grandfather, at the age of fifty or sixty, upon the loss of an action at law, was for several months insane. His disease assumed the form of lypemania. He continually cried “I am a lost man,” believing he was about to be arrested; at length, after obstinately refusing food for a fortnight, he died of inanition. His grandfather’s brother also died in a melancholic state, and the cases were very analogous. His cousin Rosalie Jobard, when twenty years of age, had an attack of acute mania. She was confined in the lunatic asylum of Maréville between two and three years, when she was discharged cured. On the maternal side, one uncle became insane at an advanced age, exhibited symptoms of lypemania, and died of senile dementia. Another was affected by melancholia, would associate with no one, ate the roots of vegetables as he pulled them out of the ground, and wild fruits, and threatened to injure those who approached him. Another uncle, in a state of ordinary insanity, was confined in the lunatic asylum at Besançon, where he died. Again. One cousin was an

epileptic—and another, imbecile from birth ; Dr. Arthaud traces these and some other examples in the family of Jobard of mania, lypemania, dementia, epileptic mania, and idiocy. It is impossible, he then adds, that the hereditary transmission of insanity can be doubted.

Pinel, Esquirol, Marc, Falret, Descuret, Baillarger, Moreau, and all modern writers on insanity, consider hereditary transmission one of the most ordinary predisposing causes of this deplorable malady. According to Esquirol, one-sixth of the cases of this disease which occur among the poor, may be attributed to hereditary transmission, and the proportion, he adds, will be found still higher among the higher classes. With him, I am disposed (says Dr. Arthaud) to think this calculation is below the actual proportion found. Physicians who are indeed specially connected with asylums, know how difficult it is to arrive at any exact statistics on this point. M. Michéa goes further. He states we must agree in admitting that at least one-half, not to say three-fourths of such patients have had, or still have, some members insane in their family. By Marc, also, hereditary transmission is considered to be the most predominating of all the causes of insanity ; “it plays,” he observes, “so important a part in the production of this disease, that whenever its existence can be proved in a medico-judicial inquiry, it is almost sufficient to establish the reality of some lesion of the understanding,” (p. 118.) We are not, be it observed, disposed to doubt the moral of insanity of Jobard, and that his vicious habits undermined the healthy functions of the brain and nervous system, and impaired generally his intellectual faculties ; but sufficient powers of mind still remained, which he might, we suspect, in the beginning have controlled. The false appearances under which he contrived to disguise, before his preceptors and employers, the real features of his character, and his punctual attention to the outward forms and ordonnances of religion, may be referred to in support of this opinion. He was sincere enough, doubtless, in his devotions, so long as the excitement which prompted them, under the influence of his imagination, lasted ; but when this intellectual effort was over, he then gave unbridled sway to all his worst passions. “*Quand je priais,*” said he, “*je priais comme un saint ; un instant après, le vice m’entraînait, et je me laissais aller sans résistance possible.*” We have dwelt emphatically upon his self-acknowledged and habitual hypocrisy, and have furthermore expressed a general disbelief in the statements he made at different times, explanatory of the motives which actuated him in his guilty career. This description of deception, it should be remembered, is one of the most prominent characteristics of moral insanity. Under this form of disease, a young man will endeavour to appear exceedingly circumspect in his outward conduct, while, at the same time, his perverted feelings prompt him to commit

all sort of delinquencies; he will invent mischievous stories respecting persons he has no particular enmity to; he will tell the most abominable falsehoods in apparently the most truthful manner, and is always prepared with some plausible reason and ingenious fabrication to account for any misconduct which he may have committed.

On the 23rd of March, 1852, Jobard was arraigned before the Assize Court of the department of the Rhone for the murder of Madame Ricard. Upon examining the body, it was found that the knife had penetrated between the second and third ribs of the left side, traversed the anterior part of the corresponding lung, and piercing the left ventricle of the heart, the point of the weapon terminated in the interventricular wall of the right ventricle. The facts of the case were too evident and incontrovertible to admit of any doubt, therefore the medico-legal depositions, which were endorsed at the back of the indictment, respecting the state of the prisoner's mind, constituted the principal evidence. During the trial, the prisoner maintained his self-possession, but was manifestly anxious respecting its result, and endeavoured, by the answers he gave to the interrogatories put to him, particularly to remove the idea that the act was premeditated. He was ably defended by M. Dubost, his advocate, and after the President of the Court had carefully summed up the evidence, Antony Emmanuel Jobard was declared guilty of having voluntarily, and with premeditation, committed a homicide on the person of Joséphin Annaïs Chabert, the wife of Ricard, whereupon he was condemned to hard labour for life—"aux travaux forcés à perpétuité."

We do not impugn the justice of this verdict, or consider that it was an aggravated sentence; because the homicidal act was clearly neither instinctive nor impulsive, but the result of premeditation and prearrangement, although the particular victim had not been selected for the assassination until a few instants before the act was committed. Furthermore, we fully admit that Jobard was morally insane; but there was not such an amount of intellectual aberration as to obscure or pervert the understanding; on the contrary, he himself acknowledged that he was conscious he was about to perpetrate a crime, and he knew that he would be responsible for the deed before both God and man. Hence we recognise—in the derangement of his moral or affective faculties and propensities only—attenuating circumstances which very properly suggested to the jury the recommendation to mercy; but we do not see sufficient evidence to justify the full exculpatory plea of insanity. There can be no doubt that a person so dangerous ought to be deprived of his liberty, and, provided the hard labour which he is condemned to perform be not incompatible with health, or likely to shorten the duration of life, we would raise no objection also to this

part of the sentence. Indeed, we often, in visiting the criminal wards of Bethlem, St. Luke's, and some of our public county asylums, have been struck at observing so many strong and healthy-looking criminal lunatics sauntering, with their hands in their pockets, idly about the corridors and courts of the building: how much better would it be for these men to be obliged to work at some compulsory labour—some occupation adapted to their particular capacities and previous conditions in life. Assuredly it would be beneficial to their bodily and mental state, and conduce materially to their recovery: for whether they are destined to remain under *surveillance* or not, their restoration to sanity is to themselves, and all around them, of equal importance. The man who may, under some delusion consequent upon cerebral disease, have attempted even the life of his sovereign, may recover his reasoning powers, and it is manifestly important that he should do so before his death; wherefore he is entitled to receive as much care and attention as any other patient who, upon recovery, becomes entitled to his liberty.

To return to the point from which we started. We commenced the present article by describing a spectacle which is too frequently exhibited in our densely crowded metropolis. Whilst the multitude assembles round the scaffold to witness an execution, from an epidemic feeling of excitement which gives rise to motives they do not themselves understand, the medico-psychologist is, we have stated, called upon to view the object of popular curiosity with very different feelings. It is his duty to ascertain, as clearly as he can, by the history of the case and his own observations, the state of mind which may have led to the perpetration of the act for which the criminal has been condemned. In a state of health, as we have premised, "man is complete in every individual man:" it is the same in disease—one disorder, bodily or mental, is the type of the same disorder throughout the world. In a psychological view, the actions of all men may be regarded in a two-fold light; they are suggested either by his moral or affective faculties—his feelings, desires, passions, and propensities—or they are the result of intellectual motives, originating in the powers of the understanding. The moral may, it is true, blend, and that almost imperceptibly, with his intellectual nature; but it is proved, beyond a doubt pathologically, that the moral and affective faculties may be perverted, and that morbid states of the feelings, and diseases, passions and propensities, may exist without any concomitant affection of the intellect or disease of the brain and nervous system. On the other hand, the intellectual faculties may, individually or collectively, be deranged, and the powers of perception, reason, and judgment so much impaired as to obscure the understanding and lead to the belief in delusions and hallucinations

which may suggest very insane actions. The one, as we have explained, constitutes moral, the other intellectual insanity; but they frequently, although originating separately, run into each other and become combined—hence moral often ends in intellectual insanity; but we believe that, *vice versa*, intellectual as often conduces to, and ends in, moral insanity. Applying these remarks to the form of monomania we are now considering, it appears to us that homicidal mania may be subdivided into three varieties:—

1. Moral Homicidal Mania—arising from perversion and a morbid state of the decrees, feelings, passions, and propensities, which the powers of the understanding, reflection, reason, judgment, &c., can neither control nor counteract. Acts of impulsive homicide come within this category.

2. Intellectual Homicidal Mania—arising from some disease of the imagination—some delusion or hallucination—or misapplication and perversion (which often happens in religious monomania) of the reasoning faculties. This variety of the disease is always primarily dependent on some lesion of the understanding.

3. Moral and Intellectual Homicidal Mania—arising from some morbid state of the feelings, passions, and propensities affecting and impairing the controlling influence of the intellectual faculties.

But we have already exceeded our limits; the subject of homicidal mania is extremely important, and we shall ere long again return to it; in the meantime the "*Examen Medico Legal*" relative to the criminal prosecution of Jobard, by Dr. Arthaud, is so valuable an addition to our medico-legal literature, that we recommend it not only to our medical brethren, but to the attention of those members of the legal profession whose practice should interest them in the progressive principles of medical jurisprudence.

ART. II.—GERMAN PSYCHOLOGY.*

Two parts of the eighth volume of this valuable journal are now before us. They contain a sufficient amount of important and interesting matter to afford satisfactory evidence that Psychological Medicine occupies much of the attention of German Physicians, while the continued support and assistance accorded to the conductors of the "*ZEITSCHRIFT FÜR PSY-*

* "*Allgemeine Zeitschrift für Psychiatrie und Psychischgerichtliche Medicin*; achter Band; hefte drittes, und viertes." Herausgegeben von Herrn Damerow, Fleming, und Röller.

CHIATRIE" by many contributors, demonstrate that its editors have correctly apprehended and rightly met the occasion for a Journal of Psychological Medicine, as the medium of the publication of matters having relation to diseases of the mind, and the pathology of the nervous system.

We shall on the present occasion first lay before our readers a brief analysis of the contents of each part.

The contents, then, of the third part of this eighth volume are :—

The common Sensibility of the Brain. By Dr. Fr. Nasse.—This is a short paper in which the author points out the impossibility of forming the diagnosis of the seat of disease within the cranium by the localization of the pain attendant thereon.

The disordered Connexion of Thought with voluntary Movements through the Influence of the Brain. By Dr. Fr. Nasse.—In this paper the author's object is to apply physiological knowledge of parts of the brain to the diagnosis of the seat of those diseases which manifest a derangement of voluntary movements. The surface of the hemispheres (by which we suppose the author means the *hemispherical ganglion* of Solly), he observes are concerned in the processes of thought and intellectual operations ; and by the connexion of these external parts with the deeper portions, *e. g.*, the corpus striatum and the optic thalamus, the functions of which are perception and the exercise of the will,* the influence of the mind upon voluntary movements is exerted. The author points out the exalted state of the hemispherical surface in certain states of insanity in which confusion of thought is exhibited in incoherency of speech ; he traces an analogy in the convulsions which sometimes accompany this state, with that of incipient intoxication, of sleep-walking, and talking, and of chorea. In these instances the excitement of the outer parts of the brain is transferred to the central organs of perception and volition. The same line of reasoning is employed under the opposite condition of dulness of the intellectual operations and disinclination to movement which is witnessed in melancholy insanity. The rambling garrulity of idiots and demented persons is also referred by the author to irregular excitement of the before-mentioned parts of the brain, through their connexion with the organs of speech. In catalepsy, thoughts are formed, but the muscles are not concordantly excited to action ; in ecstasy, the same condition is inferred to exist in a higher degree, the hemispherical ganglion being active while the motor influences are in abeyance. In epilepsy, the author argues that both the superficial and the central parts of the brain are disordered, as seen in the simultaneous occurrence of coma and convulsion. Dr. Nasse adds that this point of diagnosis acquires

* Todd, in *Med. Gaz.*, 1849, p. 815.

importance from the consideration that a lesion of voluntary motion may have its cause external to the brain, in the spinal cord, in the nerves distributed over the body, or in the muscles themselves, at the same time it is more probable that an extensive lesion of this function must have its seat in the parts leading to the hemispheres.

Self-delusion in its psycho-pathological and medico-forensic relations.

By Dr. Schuster.—In this place the author concludes at some length the observations contained in the preceding part of the journal.

On the employment of Opium in Mental Disease and some allied conditions. By Dr. Friedr. Engelken, of Oberneuland.—It will be interesting to our readers to learn the views of our German brethren upon a practical point which has particularly engaged attention in England. The author introduces his remarks by a few general observations upon the empirical misuse of medicines; and in the next place gives an historical sketch of his subject. The use of opium for mental maladies, among the ancients, Dr. Engelken observes is very doubtful, since we have no written record thereof, and their theories of this class of diseases would be opposed thereto. The first distinct mention of its employment in mental diseases, he informs us, is to be found at the beginning of the eighteenth century by Dr. Cullen. By Tralles and Wepfer it was given in increasing doses until sleep was produced. The views of Reil, the author remarks, coincide with those which guide the administration of opium in insanity, by the best practitioners of the present day, as seen by the following quotation from that writer's treatise on fever:—"In asthenic mania with erethism, not proceeding from any material (*organic*?) cause, opium administered in full doses, from one to four grains, is of most essential service; it diminishes excitement, quiets the undue action of the brain, and causes sleep. Further, it is of great utility in cerebral disturbance from cold, accompanied with pain and spasms."

The writers whose names we next meet with are those of Fribourg, Pargeter, Chiarugi, and Friedrich; the latter ranges the authorities into two classes, those opposed to and those in favour of the use of opium in insanity; among the former he enumerates Prichard, Haslam, Hasper, Cox, Neville; in the latter, Chiarugi, Reil, Burrows, have not, according to the author, sufficiently indicated the contra-indications of its employment. Friedrich's indications for its use are excitement in a depressed state of the cerebral vitality, and the necessity for the production of a soothed state of the mind. The influence of Brown's views, Dr. Engelken remarks, was to hinder the use of opium in the cases now spoken of, and despite the commendations of Sydenham, its use was prohibited, and the treatment of mental disease was, by so much, prejudiced during part of the present century.

Opium, Dr. Engelken observes, was formerly regarded as the common representative of all narcotics, but later researches have shown that its narcotic properties are unlike those of others of the class, while its value it surpasses all others. The mode of action of opium advocated by the author is that of those physiologists who consider it to have twofold action, one local, on the nerves of the stomach, the other remotely, on the nervous centres, by absorption into the blood.

In illustration of the effects of opium, the author quotes Reineke's description (in Blumenbach's *Medic. Bibl. Bd. 11. § 340*) of the Persian and other oriental opium eaters, and observes thereon, that we may thence learn that opium may be administered in larger doses, and for a longer continuance than is generally admitted. In support of this opinion, Dr. Engelken cites several of his own cases, in which from one to three grains had been given with benefit once or twice a day, for periods of three or four years, and in one instance, with two short intervals, for a period of twenty years. We may observe, however, upon the supposed beneficial result in these instances, that time must be regarded as an important element in the cure. Dr. Engelken has often administered this remedy for three months, and longer, in different forms of mental disease, without having perceived any ill effects to have resulted; on the contrary, the appetite has improved, the entire frame has been benefited, besides the marked and decisive amelioration of the mental malady. It has seldom been found requisite to give so large a dose as four grains. Medium doses have usually been combined with other means; regardless of the primary excitement, the use of the drug has been persevered in, limited to once or twice in the twenty-four hours.

The general influence of opium, the author divides into positive and negative, determined by the amount of the dose, thus he describes small (*e. g.* half grain) doses as producing augmentation of the rapidity of the circulation, and of the quantity of the secretions;—if the dose be raised to a grain, or a grain and a half, the actions of the brain are increased, with diminished susceptibility to external impressions. Thoughts are developed more rapidly and with greater clearness, the association of ideas is more varied, and imagination more active. A larger dose, *e. g.* from three to ten grains, or more, produces the well-known phenomena of stupor, &c. The author further observes, that taken altogether, the primary and secondary effects of opium are exerted upon the nervous system, producing in general a diminution of excitability, and an increase in the capability of action in the mental endowments.

Dr. Engelken enumerates the following as the chief points to be considered in the employment of opium:—the bodily constitution, the nature of the disease, the contra-indications for its employment, the history of the disease.

The changes which time has introduced into our manners, customs, habits, &c. &c., have had their influence in producing a greater development of certain feelings and passions, with their corresponding morbid conditions, and by their frequent repetition, induce a preponderance of the nervous constitution. Opium, the author states, is more suitable for those forms of hypochondriasis which most nearly approach to melancholia, as the former can in many cases be more closely traced to disorder of the visceral ganglia than of the brain itself, to which the morbid state applies more strictly in melancholia. In neither form, however, does the author look for great benefit from its use. In general insanity, the utility of this medicine is observed where there is a degree of excitement, its continued use is then frequently of much service. In mania its employment is not required in the earlier stages, which are marked by more or less of inflammatory, or sub-inflammatory action. This state having been in some measure subdued, the author administers opium in doses of one or two grains, gradually increased to four or six grains, combined with calomel and digitalis. Warm baths and corresponding regimen being enforced at the same time.

Puerperal mania the author recognises as a disease of nervous excitement, with debility occurring in a peculiar inflammatory state, and a form of mania in which the best effects are obtained from opium. In idiotcy and dementia the author finds opium of no service.

Dr. Engelken recognises an asthenic and a sthenic form of delirium tremens, the former in his experience being more frequently met with—nine out of eleven cases. He administers opium in doses of from two to four grains, morning and evening, with or without digitalis.

Chorea is a form of nervous disease in which the author also states that he has witnessed the most decided benefit from opium. He gives it in increasing doses of from one quarter of a grain to one grain, with children of from ten to fifteen years of age, and continues its use for from two to eight weeks.

The contra-indications for the use of opium in mental disease mentioned by the author, are much the same as in other cases; *e. g.*—

1. In insanity depending upon inflammation, with or without synochal fever. Besides inflammation of the brain, of which delirium is a symptom, there are many other distinct forms of disease which in the acute stages are attended by delirium, and for which an antiphlogistic rather than a sedative treatment is adapted.
2. In congestive conditions in the arterial (*sanguine*?) temperament opium is injurious; whereas, on the contrary, in the nervous and venous (*lymphatic*?) temperament, opium will, in the majority of cases, remove the congestion, especially when the exciting cause is to be sought in violent mental emotion.

With disease of the mind occurring in the asthenic state, the greatest caution is required in the administration of opium.

With regard to the repetition of the doses of opium, Dr. Engelken points out that this must be determined by the constitution of the patient, and the effects of the previous administration.

The author also observes upon the error of regarding all narcotics as equally useful in mental diseases; and repeats his remark, that they are not to be regarded, as they were formerly, specifics for insanity.

The next contribution consists of a *Report from the public Asylum at Sonnenstein, in Saxony*; and forms the continuation of a similar document published in the third volume of the journal. The report shows that the number of admissions has been steadily on the increase during the last twenty years. The population having also during the same period, 1830—1850, increased from 1,500,000 to 1,900,000. The augmentation of these admissions Dr. Klotz, the reporter, attributes less to a real increase in the frequency of the disease, than to a diminution of the objections to reception into asylums. The number in the asylum in 1850 was 757; the discharges 380; the mortality 9 per cent. Many points of local interest are contained in this report.

The succeeding paper is *On the Parisian Asylums*, by Dr. Droste; on which we need not detain our readers, as they have found the same information in our own pages.

In the department of "*Literature*," we meet with an analysis of the contents of our own journal for 1849; also, notices of M. Cheneau's "*Recherches sur le Traitement de l'Epilepsie*," and of Richter's "*Organon der Physiologischen Therapie*."

Bibliography; or, short notices of original works and contributions to periodicals, by German, French, and English authors; with a Miscellany, or selection of extracts from other journals, conclude this number, which we now leave, to proceed to the fourth part of the volume. The first article is a paper on *Progressive General Paralysis*, by Dr. Sholz, surgeon to the asylum at Hall, in the Tyrol.

During the period 1841—1850, there were received into the institution 257 men and 181 women; among these were 28 cases of general paralysis in 22 men, 6 women; about $\frac{1}{8}$ of the admissions. The ages of these were as follows:—One 25 years, sixteen from 30 to 40 years, nine from 40 to 50, two from 50 to 60 years of age. Hereditary disposition existed in five cases.

Dr. Sholz thus states the results of dissection in 11 of the above cases. In five there were more or less distinct evidences of chronic hydrocephalus, effusion into the ventricles; in one there was general softening of the brain; in one, softening of the gray substance; in one, inflammatory exudation on the dura mater; in one, partial softening of the brain and spinal cord, with serous effusion; in one, there was induration of the posterior lobes, cerebellum, and pons,

with great fulness of dark blood and slight serous effusion; in one, tubercular disease of the lungs only could be found, and it was doubtful whether the structure of the brain was in any degree altered.

In Dr. Stolz's private practice, he had met with softening of the grey substance and effusion in one case; medullary sarcoma, with softening of brain and cerebellum in another; and in a third, a fibrous cyst, producing softening, congestion, and effusion.

The author observes with reference to the pathology of general paralysis, that the dissections he has recorded agree with the observations of other writers in referring it not to any single, but to various morbid conditions of the brain, and that the immediate cause of death may always be found in changes of structure in the brain or nervous centres, although it may seem to have resulted from disease of more distant organs, as in the case of acute tubercular inflammation of the lungs. These proximate causes consist in such changes in the brain, or a part thereof, as shall interfere with or suspend its functions, although not speedily fatal, and are dependent upon more remote organic changes. The progress of the disease not being so much dependent upon the rapidity or extent of the interference with the functions of the brain, but by the interruption to the influence of the nervous centres upon the organic processes by which the dissolution of the individual becomes inevitable before a long period has elapsed. In simple insanity the case is very different. In this case a mere functional derangement exists, without complete destruction of the functions of the brain, while the remainder of the organism is never so directly or to such a degree implicated in the danger.

Dr. Stolz has never seen an undoubted case of general paralysis undergo a cure, either by the powers of nature, or by the aid of medical science.

The author concludes his observations with a record of cases.

Pathological exposition of the characteristics of the different Cerebral Organs and their Functions. By Dr. Bergmann.—This contribution comprises a series of dissections in fatal cases of disease of the brain, &c., and are valuable and interesting, but do not demand further notice on the present occasion, as they were fully dwelt upon in our last number.

History of the case of a "Mother in an Asylum." By Dr. Karl Hergt—possessing some general interest, but appears to be invested with importance from local circumstances.

Opinion upon the State of Mind of an Incendiary. By Dr. Heinrich Ellinger.—In this case the history of the individual showed several previous attacks of insanity, and leaves no doubt of the existence of mental derangement.

On the English non-restraint System, and its employment in Germany.—Under this head we meet with two contributions, the one from Dr.

Fr. Stimmel, the other from Dr. Guggenbühl, who is known to English readers by his letter to Lord Shaftesbury, in behalf of Cretins.

Dr. Stimmel observes that precise information upon the subject of non-restraint seems to be wanting among German psychological physicians, and therefore he contributes his short notice.

When on a scientific tour in England, he had particular opportunities of observing this system, and sums up what he there saw as consisting in the fact of four or five assistants forcibly holding down a violent maniac patient until he was exhausted by his struggles, and sank into a quiet state. If these means failed after about a quarter of an hour, the patient was transferred to the padded cell, of which the writer enters into a full description.

Having been impressed with this apparent triumph of humanity, the author eagerly introduced the plan into his own asylum; and, from the observation of the results in seven cases, concludes that in milder cases of excitement the padded cell is not only a more humane form of treatment, but also more speedily terminates the paroxysm; while, in the more violent forms it is not only not serviceable, but tends to augment the excitement, and gives the disease a more formidable and fully developed character. For this reason Dr. Stimmel has returned to the old system of treatment, and warns others against being led away by the delusion.

Dr. Guggenbühl speaks, however, in terms of approbation of the results of the non-restraint system as carried out in England, and adduces the good effects of the humane system in the treatment of idiots and cretins.

The Statistics and Management of the Provincial Institution for Lunatics, at Halle. By Dr. Damerow.—The statistics here given present the numbers admitted and discharged during six years, from the opening of the institution in 1844 up to December, 1850, viz., admitted males, 467; females, 306; total, 773. Discharged, males, 302; females, 209; total, 511. Remaining, December, 1850, males, 165; females, 97; total, 262. Of these there were curable, males, 79; females, 34; total, 83. Incurable, males, 116; females, 63; total, 179.

A full staff of officers and attendants is described, and a statement is also given of the amount of work done, and stock in clothing, &c., manufactured by the patients.

Out of 149 deaths, the following are among the pathological conditions:—apoplexy, 14; convulsions, 4; softening of the brain, 4; water on the brain, 1; paralysis, 44; acute delirium, 3; phthisis, 36; œdema of the lungs, 4; gangrene of the lungs, 2; pneumonia, 5; anasarca, 8; pyæmia, 4; pseudo-erysipelas, 2; cholera, 8; marasmus, 2.

Hereditary tendency among the 773 cases was shown in 187, or about one-fourth.

In the *literary department* of this number of the journal we find notices of Szafkowski's work on the medico-legal and psychological relations of hallucinations; Fleming's report of the lunatic asylum of Mecklenburg-Schwerin; Wunderlich's Hand-book of Pathology and Therapeutics; Henle's Manual of Rational Pathology; Engel's Treatise on the Osseous Structures of the Human Face; Niepec's Treatise on Goitre and Cretinism.

A bibliographical record of new works and important papers follows. The number concludes, like its predecessors, with miscellaneous matters possessing direct interest for those whose practice engages their attention towards psychological studies, and to whom we would commend the perusal of the *Allgemeine Zeitschrift für Psychiatrie*.

ART. III.—STATISTICS OF CRIME, AND THE MORAL AND MENTAL CONDITION OF PRISONERS.

WE have before us the seventeenth report of the *Inspector of the Prisons of Great Britain*, and the last parliamentary report relating to the *Discipline and Management of Pentonville, Parkhurst, Millbank, Portland, and Dartmouth Prisons, including official returns of the condition of the Hulks for the year 1851*. This document contains much valuable and interesting matter, illustrative of the state of our criminal population *in duress*. We purpose, however, confining our attention to the moral state and mental health of the prisoners; and our extracts from the documents under review will relate exclusively to these points. Under the head of "Religious and moral instruction," the chaplain of the Pentonville prison makes a satisfactory report. When speaking of the educational condition of the prisoners, the chaplain observes, that they had at least had as good educational *opportunities* as the classes in society to which they belonged, but to which in the matter of honesty and good conduct they were so disgracefully the exceptions; and therefore that the mere want of secular education was not the cause, or even a chief one, of their crime, which being removed, they would naturally return to society reformed and useful characters. Some proved to have been highly educated, and a very large number sufficiently so for any situation of life which they were ever likely to occupy.

These facts rather militate against the generally entertained opinion, that the criminals of this country belong to the uneducated classes.

In regard to the mere improvement of the convict, he says, that during the past year there has been less *profession* of a religious character. But the chaplain thinks the results have not been worse on this account. Experience has taught him to be more cautious in receiving as undoubted, professions of a change of heart in men shut out so completely from the great temptations of life. The tenour of the addresses would therefore insensibly, perhaps, partake more of this character, and the prisoner would be led thereby rather to defer his profession of such a change until placed in more natural circumstances.

There is much good sense in the following remarks :—

“I think nothing easier for an affectionate, zealous Christian minister to accomplish, than to move the feelings of prisoners in separation, and to gain control almost over their very wills ; but it would be a great mistake to conclude that there was a real change of the principles or character of the man whenever this effect is produced. That, under God, this influence may tend to salvation in some cases, and may civilize and bring men into order to a very great extent, I thoroughly believe ; but, as regards real change of heart, I must say, looking closely into such accounts as have been made public of changes wrought in large proportions of prisoners, they require to be received with considerable allowance for partiality and a sanguine temperament in the writers. Real conversions to God are not more frequent in our prisons than in our refuges and penitentiaries ; and compared with the general mass of people, under similar advantages of Christian faithfulness, zeal, and love, I believe them to be more rare. Nevertheless, few prison chaplains of this character are without the encouragement of knowing that their labour is not vain in the Lord ; whilst it must not be lost sight of, that Christianity, if it accomplishes nothing more, civilizes man, subdues ferocity, procures respect for laws, improves the mind, enlarges and elevates its conceptions, and gives vigour and judgment to the conscience. This aspect of religion is constantly presented to our view. During the past year we have had reason to be encouraged in both these respects.”

The medical officer's report of the state of the Pentonville prisoners is an important document. We designedly confine our attention to the *mental* health of these who have, during the year 1851, been confined in this establishment.

Two cases of insanity, requiring removal to Bethlem, have occurred during the year. Their history is subjoined.

James Satchwell, 3259, was received from the Hulks, where he had obtained a very bad character on account of repeated acts of insubordination and violence.

On several occasions during his imprisonment in Pentonville, he exhibited similar misconduct, and committed breaches of discipline so

flagrant as to lead to doubts being entertained as to his actual sanity. He had naturally but low intellectual development, and his cranial capacity was found, by actual measurement, to be far below the average. He could neither read nor write, and was incapable even of learning a trade. In disposition he was cunning, suspicious, and deceptive.

After much close observation, it was ascertained that the prisoner was the subject of insane delusions, and he was therefore removed to a lunatic asylum. It was impossible, however, for a time, in the absence of the evidence of positive delusion, to state that he was irresponsible for his actions, or to say that his violent conduct was not alone attributable to a wicked and ungovernable temper.

The history of the other case is as follows :—

B. Woller, 3,688, aged 24, of bad moral character, having been three times previously convicted and imprisoned, and several times also examined on charges of felony, and discharged on account of defective evidence ; was noticed on admission as somewhat pallid ; he had also some imperfectness of vision, accompanied by a peculiar and constant oscillation of the eyeballs. He had been but three weeks in the prison, when he was suddenly seized with mania, and was shortly afterwards removed to Bethlem.

The morbid conditions noticed on admission were regarded at the time as of functional origin only ; but, considered in connexion with the subsequent attack of insanity, it is presumed both may be referred to cerebral disease which existed previous to his imprisonment.

The number of removals to Bethlem, as compared with preceding years, is found to be :—

- 27 per cent. on the prison population of the first seven years.
- 32 per cent. on the prison population of 1850.
- 16 per cent. on the prison population of 1851.

Three cases of delusion have also occurred :—

1. W. Ross suffered from depression, and was the subject of aural delusions. These symptoms disappeared under treatment, and he was subsequently removed as unfit for further separate confinement.

2. H. Litchfield laboured under the delusion that he was suspected of having committed an unnatural offence, and that this was made a subject of conversation by the warders. The delusion in this case had ceased to affect the prisoner before he was removed from the prison.

3. H. S. M'Laughlin, 3,617, has been affected with insane delusions, which, under association, have vanished at times, and again re-appeared. This case also recovered under treatment in the prison.

Besides the cases of insanity and delusion already noticed, there were observed other cases, in which mental depression, irritability, natural feebleness of intellect, and other conditions not amounting to actual disease, existed, and rendered relaxation, or suspension of the discipline, necessary in the first place, and removal from the prison advisable at a subsequent period. They amounted in all to 22.

The report from which the preceding facts have been gleaned, is made by Mr. C. Lawrence Bradley.

Parkhurst prison next claims our attention. It appears from the chaplain's report, that he had under his own observation, in the year 1851, 280 juvenile prisoners. The subjoined facts constitute the result of his examination of 154 general ward boys. It appears that only 62 of them had both parents alive at the time of their conviction ; 30 had neither father nor mother, and the remainder had but one of the parents living : so that 92 out of the 154 were orphans,—a fact calculated to excite pity. If industrial orphan schools were established, which, by all accounts, might be made to support themselves, a vast amount of crime would be prevented, and great expense saved to the country.

104 had attended day schools, for periods of from six months to seven years. Few of them were at school less than one year, so that a want of education,—or rather, to speak accurately, a want of the means of instruction,—was *not*, in the case of these boys, the cause of crime ; and the chaplain begs to be allowed to express his conviction, that it is not that kind of education which, in the present day, is so much sought to be given to the children of the poor, that will prevent crime, and make its recipients respect the rights of others. His experience here and elsewhere shows that what we need is, such a course of *industrial* training, combined with religious and secular instruction, energetically imparted, as shall fit its recipients for the station they are likely to occupy, and the duties they will probably have to perform. His observation does not show him that what is now called education accomplishes this. Four have only attended ragged schools. As large a proportion as 113 have been Sunday scholars, for periods ranging from three months to six years. Only 7 resorted to thievery from poverty and want. It appears that 3 only out of the 154 were led into crime, or encouraged in it by the father, and not one, in either respect, by the mother.

It will be seen, that, from the above particulars, it may be inferred that the prisoners last year received did not come from the lowest classes. The question then occurs, What was the cause that led these boys into crime ? The *immediate* cause was bad company. As many as 137 attribute their fall into crime to this cause ; and the truth of this is manifest from their general history. It coincides, too, with another point, that as many as 135 came from large towns and populous places ; just those parts where the greatest facilities exist for getting into this sort of company. The rest came from small towns. We seldom get a prisoner from a really rural and scattered population.

But the *remote* cause was a want of proper parental control : only 62 had both parents alive to control them ; all the rest were deprived either of both parents, or of one. But those parents that are alive exercised little or no authority over these their children, but allowed them to be out late at night, with those ill-behaved and loose characters that congregate in the streets ; and there it is that they are picked up by those who are already thieves, and who are always on the look-out to recruit the ranks which justice has thinned. They are then treated by these prowlers to the low theatres, and to feasting at a public-house, until they are entangled in the net of the destroyer. Thus it is that more than two-thirds of juvenile crime are propagated ; indeed, so prolific of crime is this unobserved cause, and such misery and expenditure does it entail, that it is worthy of universal notice.

In connexion with the last particular, no more than 5 out of the 154 ever went to an evening school ; thus we arrive at the same point from a different direction, for if they had been at an evening school they would not have been open to the pernicious influence above referred to.

The following table will show accurately how many times each boy has been in prison :—

14 boys	.	not once in prison.	
27 "	.	1	equal to 27 imprisonments.
23 "	.	2	" 46 "
24 "	.	8	" 72 "
15 "	.	4	" 60 "
12 "	.	5	" 60 "
10 "	.	6	" 60 "
7 "	.	7	" 49 "
2 "	.	8	" 16 "
1 "	.	9	" 9 "
8 "	.	10	" 30 "
8 "	.	12	" 36 "
1 "	.	14	" 14 "
1 "	.	15	" 15 "
3 "	.	18	" 54 "
8 "	.	not known	0 "
Total		.	548 imprisonments.

146 of these boys were, before their sentence to transportation, imprisoned no less than 548 times, while the mischief they did to the morals and property of others is incalculable. Does not this suggest how very much more economical it would be to prevent juvenile crime, by an industrial and religious training, than after allowing it to be manufactured and perpetrated, to reform it ?

The improvement in the moral conduct of the prisoners during the past year was greater than in any previous year ; and this not only in

one, but in all departments of the prison. The governor in his report gives the statistics of behaviour in the wards; the following refer solely to the conduct of prisoners during the time they were in school.

Total number of boys under instruction during the course of the year .	632
Number of boys entered into the school misconduct-book for petty offences .	70
Number of boys reported to the Governor for continued petty misconduct, or more serious offences .	71
Number of boys who have not been complained of at all in school throughout the year .	562
Number of boys who have not been reported to the Governor throughout the year .	561

Number per cent. :—

1. Of boys complained of for petty offences	11
2. Of boys not complained of at all	89
3. Of boys reported to the Governor	11
4. Of boys not reported to the Governor	89

Of the 70 boys entered in the school misconduct-book for petty offences, there were complained of, once, 38; twice, 10; three times, 10; four times, 6; six times, 1; eight times, 1.

Of the 71 boys reported to the governor, there were reported, one, 53; twice, 10; three times, 4; six times, 1.

We have, under the above heads, a total number of 250 offences, but 201 of these offences were committed by the boys while they were in the probationary ward—that is, during the first four months of their residence here; a pleasing indication of the efficiency of the means used for their improvement.

On the 1st of November last, a new general routine came into operation, by which it was arranged that boys who had been here a certain time should altogether cease attending the day school, and be always industriously occupied, as it was conceived that this would better prepare them for labour in the colonies. The *principle* of this alteration is good, and in the right direction; and it seems capable of producing useful results if properly carried out.

In May of last year, another change took place in the same beneficial direction, by which it was arranged that the prisoners should attend school one morning of one day of the week for four hours, and one afternoon of another day of the week for five hours; that thus, even on school days, the prisoners might have either a long morning or a long afternoon for labour.

Stimulants to industry and good conduct were at the same time added. All who have been here a sufficient length of time, and whose correct behaviour has merited a good-conduct badge, are allowed a slice of pudding on the Sunday, if they have worked diligently and behaved well during the preceding week. They have also a small amount of

their earnings credited to their account, to be received by them when they get to the colonies. But the reward which is most prized is the liberty of writing to their friends at stated seasons.

"In allowing these rewards, it was considered," says the chaplain, "that to expect prisoners 'to do well for its own sake,' was to suppose them to have arrived at such a state of virtue which, if it had been possessed, would have effectually prevented them from committing the crimes for which they are punished. This motive is all-important as the ultimate one to be aimed at, but it is inapplicable to those who are utterly destitute of that moral sense by which alone it can be appreciated; and I would with reverence suggest, whether the Great Ruler of the world does not hold out present secular advantages, as well as future spiritual rewards, in His infinitely able system of reforming mankind and preparing them for another sphere of happy existence. In my judgment, therefore, gentlemen, you acted wisely in recommending these rewards, and the present state of the prison justifies the measure."

"The numbers of the prisoners that act well from Christian motives give a joy to the chaplain which, as it is not generally appreciated, he will do no more than allude to, though it is one great stimulus to his exertions in the midst of frequent and extreme depression of spirits, necessarily arising from the peculiar and monotonous nature of his duties."

The following extract from the chaplain's report will convey to our readers an accurate idea of the kind of religious instruction provided for those confined in the *Millbank* Prison :—

"During different periods, amounting to six months in the course of the year, the number of schoolmasters employed was seven, at other times eight, the present number.

"The whole of the male prisoners not in the infirmary, or hindered by casual sickness, with the following exceptions, those permitted to be absent on account of dissent from the Established Church, employed as artisans, kept back for the morning school, engaged in the bakery, and some of those employed in the kitchens, have regularly attended the daily chapel service.

"On Sundays the prisoners in association have attended two full services; those in separation, the morning and afternoon alternately; those employed in the bakery have had the benefit of both services; arrangements have been lately made for prisoners in association receiving further religious instruction in the wards, from the schoolmasters, on each alternate Sunday evening.

"The assistant chaplain has been in the regular practice of visiting the infirmary wards every day, *reading prayers in all*, and delivering a lecture to the prisoners in *each successively*.

"On Sundays suitable ministrations have been afforded in the infirmary, by the religious instructor reading both prayer and lecture in its several wards.

"The religious instructor has on week-days been constantly engaged in reading the Holy Scriptures with the prisoners from cell to cell, and giving catechetical instruction to the juvenile prisoners individually.

"The Holy Communion has been administered to the male prisoner four times in the year, the communicants having been previously visited by the chaplains, with a view to their suitable preparation.

"The behaviour of the prisoners, as falling under the chaplain's observation, has been orderly; and the schoolmasters speak satisfactorily of the attention generally evinced. Of *moral improvement*, however, as regards the *many*, embracing change of principle, and *real amendment of character*, he feels considerable diffidence; bearing in mind the circumstances of the prison—the period of separate confinement, rarely exceeding six months, being somewhat brief to be *permanently effective* for reformatory purposes—the danger of any good impressions made during that period (the seedtime of reformation) being effaced when prisoners are transferred to the *large rooms and general ward*, where the opportunity is withdrawn from those under incipient convictions of being ever *left alone with their conscience*, and the spiritual exercises of the more advanced in religion, both meditation and prayer are subject to disturbance."

The number of insane cases during the year 1851 is, we regret to find, considerably above the average; whilst referring to this fact, the medical officer observes that it is his opinion that there are no new causes tending to injure the minds of the prisoners in operation at Millbank. Of the eight prisoners removed to Bethlehem Hospital, five, Dr. Baly says, were decidedly insane when admitted at Millbank. Two others were noticed at the time of their reception to be of very low intellect, one of them also sullen, and in a state already verging on insanity.

We append, without abridgment, Dr. Baly's important statement of facts. It will be perused with interest by thousands whose attention has been zealously directed to the consideration of the influence of prison discipline and confinement on the health of the mind:—

"Thomas Whittaker, who had been convicted of an unnatural crime, appeared from the time of his reception weak in intellect, was idle, inattentive to all rules for order and cleanliness, noisy, frequently disturbing the ward by singing and whistling, and, when admonished, most violent and abusive in his language. Unequivocal symptoms of insanity showed themselves on the 23rd October, after he had been eight months in prison.

"The only patient removed to Bethlehem Hospital who was received in a sound state of mind, was Ann Moran. This prisoner was received from York, on the 28th March, 1849. Her insanity declared itself in the form of violent mania, on the 28th March, 1851; but for some weeks previously, she had been strange in conduct, pilfering various articles of clothing, &c.; concealing them in her bed, telling falsehoods without any apparent motive, &c.

"Five patients who suffered from different forms and degrees of disordered intellect were not removed to a lunatic asylum. One of these,

"William Lamb, received from Aberdeen, was in a state of complete dementia at the time of his reception; another,

"Daniel Coghlin, received from Manchester, on the 13th February, 1851, was a man of naturally weak intellect, and timid disposition. From the middle of September, 1851, he laboured under delusions, characterized chiefly by fear of injury to himself. He has recovered.

"The three following were apparently of sound intellect at the time of their reception into the prison; although one of them had been insane previously:—

Cain Squires	received from Wakefield.
Henry Smith	" " Warwick.
Henry Scull	" " Bristol.

"Cain Squires, who was received on the 15th February, 1851, began to manifest some disorder of intellect in May. His only delusion related to his trial and sentence. Under the influence of this delusion, he has at times been restless and excited. But usually he has been quite tractable, and during long intervals has apparently recovered his soundness of intellect.

"Henry Smith was received into the prison on the 13th February, 1851. He was a youth of considerable intelligence. His delusions, which for the most part have religious questions for their subject, unfortunately still persist; although he is in good bodily health, and retains perfect clearness of intellect on general matters.

"Henry Scull was sent to Millbank prison from Bristol on the 28th of January, 1851. He began to talk incoherently at the commencement of August, soon afterwards became violent and destructive, and then lapsed into a state of dementia. Within the last two months his state of mind has so much improved as to give strong grounds for hope that he will speedily recover. His removal to Bethlehem Hospital, an order for which had been obtained, has, consequently been postponed. His parents, who visited him during his insanity, stated, that he had twice before been insane, with the same symptoms, and had even required restraint.

"With respect, then, to the origin of the cases, the facts are, that of 13 insane patients, 6 were at the time of their reception insane, 3 of weak mind, and 4, including the female patient, of sound mind. Extending the same inquiry to all the cases of insanity that have occurred in the prison amongst the male prisoners during the last eight years, we obtain the following results:—

	Average daily Number of Male Prisoners.	Total Number of Insane.	Insane when received.	Of weak Mind when received.	Of sound Mind when received.
Year 1844	699	3	3	—	—
„ 1845	828	4	1	1	2
„ 1846	845	8	3	—	5
„ 1847	983	7	4	2	1
„ 1848	1223	11	7	1	3
„ 1849	896	15	10	1	4
„ 1850	1001	6	1	2	3
„ 1851	918	11	6	2	3
Aggregate numbers for the eight years	} 7393	65	35	9	21
Annual proportion of insane of each class, per 1000 prisoners	} . .	8.75	4.73	1.21	2.84

“During the period specified, 65 male prisoners have come under treatment for insanity in the prison; but of this number 35 were insane when they were received, and 9 were of weak mind, or, in some instances, in a state verging on insanity. Only 21 were in quite a sound state of mind when they came into the prison; and if we compare these numbers with the male population of the prison during the same period, we find that the annual proportion of cases of insanity in patients previously of sound mind was somewhat less than 3 (2.84) per 1,000 prisoners; and, including the cases of patients previously of weak mind, more than 4 (4.05) per 1,000 prisoners. This at first sight appears a higher rate of cases of insanity than would be expected in the Millbank prison, where, for several years past, only about two-thirds of the male convicts have been confined in separate cells, and where the average terms of imprisonment in the several years have ranged between $2\frac{1}{2}$ months and $6\frac{1}{2}$ months; but before the numbers above given are left for comparison with the statistics of other prisons, it must be explained that they include the slighter forms of disordered mind, consisting in “delusions,” and that many of the patients recovered in the prison, several after very short attacks. From the subjoined table it will be seen, that, of the 30 prisoners attacked with insanity during their imprisonment (those previously of weak mind or doubtful sanity being included), 14 recovered without removal to a lunatic asylum, or other place of confinement. The remaining 16, who did not thus speedily recover, or who died, give an annual ratio of only 2 (2.16) per 1,000, when compared with the number of male convicts in the prison during the eight years. And this ratio, though double that of the cases of insanity of similar severity which occur annually amongst the general population out of prison, is not greater than might perhaps be anticipated from the nature of the various influences acting on the minds and bodies of convicted criminals. That the length of the imprison-

ment, up to a certain limit, affects the result considerably, is quite certain, and is rendered sufficiently apparent by the following facts:—

		Recovered in the Prison.	Removed to Bethlehem or other Prisons or Asylums.	Died.	Remarks.
Insane Prisoners of weak mind when received . . }	9	1	6	2	One committed suicide, and one died of de- mentia.
Insane Prisoners of sound mind when received . . }	21	18	7	1	Died of bodily disease unconnected with his insanity.
Both Classes . . .	30	14	13	8	

“During the former four years of the period above referred to, the average duration of the imprisonment of the male convicts was only three months and seven days; and the number of cases of insanity amongst them was 11, or 3·28 per 1,000 prisoners annually. During the latter four years (1848 to 1851 inclusive) the average duration of their imprisonment was five months and six days; and the number of cases of insanity was 19, giving an annual ratio of 4·70 per 1,000 prisoners. Omitting the cases of those who recovered in the prison, the number of cases in the former period becomes five, and the annual ratio 1·49 per 1,000; the number in the latter period 11, or 2·72 per 1,000 annually.

“The same result, namely, the increasing risk to insanity that attends the protraction of imprisonment, at all events through the first 12 months, is shown more precisely in the subjoined table. It will be seen that of 30* male prisoners who became insane in Millbank prison in the course of the last eight years, only 9 were attacked during the first three months of their imprisonment, 9 in the course of the second three months, 8 in the course of the third three months, and 4 at later periods; while about 16,000 prisoners passed through a single three months’ imprisonment, only about 8,400 through a second three months’ imprisonment, about 4,200 through a third three months, and about 1,200 through a fourth three months: so that the ratio of cases of insanity has been nearly twice as high in the second three months of imprisonment as in the first three months, and in the third three months more than three times as high as in the first.

* In three cases (L. D., J. J., and M. M’G.) the men were so exceedingly imbecile or melancholic at the time of their reception, and passed so gradually into a state of complete insanity, that the period of the commencement of their attacks cannot be exactly determined. Two of these cases are referred to the first three months, and one to the second three months of imprisonment.

Periods of Imprisonment.	Approximate Number of Prisoners who passed through each Period.	Number of Cases of Insanity occurring in each Period.	Annual ratio per 1,000 of Cases of Insanity for each Period.
First Three Months	16,000	9	2·25
Second Three Months	8,400	9	4·28
Third Three Months	4,200	8	7·61
Fourth Three Months, or later . .	1,200	4	—

“ With respect to the particular influences which give rise to mental disorder with this increasing frequency during the first nine or twelve months passed in prison, it may, I think, be affirmed that the more powerful ones are included under the following heads:—

“ 1. The various feelings of remorse, shame, and despondency, which act most strongly on educated and sensitive minds, and at an early period.

“ 2. The withdrawal of the accustomed external sources of excitement inducing a state of inertia, or torpor of mind, which leaves any tendencies to mental disease more free to develop themselves. This cause affects more frequently men of low intellect and deficient education, and, in others, produces its evil results at a later period.

“ 3. Various morbid influences acting on the mind through the body; including many disturbances of the general health, due chiefly to comparative deficiency of exercise and fresh air, and the exhaustion of nervous power induced by the ‘solitary vice;’ this last cause operating especially on young persons, and generally after some months’ imprisonment.

“ All these influences, but especially the latter two, will, it is obvious, have greater sway in proportion as the imprisonment involves more of actual seclusion. It is, therefore, not surprising that at Millbank prison during the last eight years the cases of insanity have been much less numerous among the prisoners ‘associated’ in large rooms, than among those confined in ‘separate’ cells. The number of prisoners in separate cells has, on the average, been 624; the number in association 298. The cases of insanity among prisoners of the separate class have numbered 24; the cases among those of the associated class have been 6. The annual ratio of cases of insanity has, consequently, been only 2·52 per 1,000 among the latter, and 4·78 per 1,000 among the former.

“ An important fact remains to be noticed, namely, the much larger proportion of men originally of weak or dull intellect among the prisoners who became insane while in separate confinement. Of the 6 prisoners attacked with insanity while in ‘association,’ only 1 was weak-minded at the time of his reception; while of the 24 men who

became insane in separate cells, 8 were imbecile, or of a very low grade of intellect. If, now, these men of originally weak mind be excluded from the calculation, the preponderance of cases of insanity among the prisoners in 'separation' is, of course, much diminished; for there remain only 16 cases of insanity amongst prisoners of the separate class, or 3·19 per 1,000 annually; and 5 cases among those of the associated class, or 2·10 per 1,000 annually. From the calculation thus made, the inference at first sight appears to be deducible, that men of sound mind do not suffer in any very considerable degree more from separate confinement than from imprisonment in 'association,' but in more or less strict silence. But such a conclusion would be erroneous: for the average term of imprisonment of the prisoners of the 'associated' class at Millbank prison has been far longer than that of the prisoners of the 'separate' class; the 700 prisoners of the juvenile class, who in the years 1844 to 1848 underwent on the average 12 months imprisonment, and nearly all the prisoners who on account of physical disabilities or other causes have been detained for long periods in the prison, except the 'incurables,' having been in 'association.' So that if the influences tending to disturb the intellect acted equally under the two modes of imprisonment, the proportion of insane ought to be much greater among the prisoners in 'association;' while, notwithstanding their longer terms of imprisonment, it has been one-third less.

"The above-mentioned facts do, however, show incontestably the great danger that attends the confinement of prisoners of weak minds in separate cells. It might, I think, almost be affirmed that men of any considerable degree of imbecility, or great dulness of intellect, will with certainty be rendered actually insane or idiotic by a few months separate confinement; and the multiplication of cases of insanity at Millbank prison, where so many men of impaired or deficient mind are received, has been prevented only by the precaution of placing in association all such prisoners as soon as their infirmity of mind became known to the medical officer.

"The man who committed suicide on the 25th September, 1851, after having been eight months in the prison, had been convicted and sentenced to transportation for an unnatural offence. He had manifested no symptoms of insanity, nor any great despondency, and the only probable motive for the act was the fear of immediate transportation, since he had been on the previous day inspected, together with other prisoners, who were about to be removed from the prison."

The following carefully written analysis of "The Seventeenth Report of the Inspectors of Prisons of Great Britain," we copy from the pages of a contemporary.* It appears to embody all the facts of any interest contained in the parliamentary document:—

"The criminal tables afford pleasing evidence that the decrease of crime, as compared with the amount ten years ago, continues to be

* *The Athenæum*.

maintained. For, although the slight increase of 4·2 per cent. mar the returns of 1851 as compared with those of 1850, the increase of population may be most fairly adduced as a satisfactory cause for the increase. The commitments during the last ten years stand thus :- 1842, 31,309 ; 1843, 29,591 ; 1844, 26,542 ; 1845, 24,303 ; 1846, 25,107 ; 1847, 28,833 ; 1848, 30,349 ; 1849, 27,816 ; 1850, 26,813 ; 1851, 27,960 : total, 278,623.

"The increase of 4·2 per cent. during the past year has not been confined to any particular localities. It extends generally over England and Wales, including all the chief agricultural and the largest manufacturing and commercial counties. In 1841 the commitments were in the proportion of one in every 573 of the population, while, according to the last Census Returns, the proportion in 1851 is reduced to one in 641. Between these two periods the population increased 12·6 per cent., while the commitments remained as nearly as possible stationary their increase amounting only to a fraction per cent. But the relative progress of population and crime has been very different in different parts of England. In the large manufacturing districts where the working-classes during the past year have been steadily employed, the proportion of commitments to the population has signally decreased. Thus, in Yorkshire and Lancashire, the population during the last ten years has increased 18·2 per cent., while the commitments have simultaneously decreased 4·3 per cent. In Cheshire, Derbyshire, Nottinghamshire, and Leicestershire, where, mixed with a considerable agricultural population, the chief silk, lace, and other textile fabrics are produced, the proportion of the commitments decreased from 1 in 579, to 1 in 633, the population having increased 7 per cent. while the commitments decreased 2 per cent. In Staffordshire, Warwickshire, and Worcestershire, the seat of the chief manufactures in hardware, pottery, and glass, the commitments decreased from 1 in 435 of the population to 1 in 552, the population having increased 20·4 per cent., and the commitments decreased 5 per cent.

"In the more purely agricultural counties the progress is slower, and the results less favourable. In the eastern district, comprising Essex, Norfolk, Suffolk, and Lincoln, the proportion of the commitments to the population has increased from 1 in 669 to 1 in 604 ; the increase of the population being 6·8 per cent., and of the commitments 18·4 per cent. Of the seven chief midland agricultural counties, Cambridge, Northampton, Bedford, Hertford, Oxford, Bucks, and Berks, the proportion of commitments has decreased from 1 in 572 to 1 in 620 ; the increase of the population being 10·3 per cent., and of the commitments 1·8 per cent. only. In the counties in the south and southwest, Hants, Wilts, Dorset, and Somerset, the results prove more favourable than in any of the other agricultural districts. The proportion of the commitments to the population has decreased from 1 in 508 to 1 in 651 : the population having increased 12·5 per cent., and the commitment decreased 12·1 per cent.

"On a comparison of the offences upon which the increase of the commitments last year has arisen, it appears that the increase has

extended to each of the classes of crime, with the exception of the sixth class, comprising miscellaneous offences. In the first class, *Offences against the person*, the commitments for murder, attempts to murder, wounding, &c., remain stationary; unnatural offences, however, show an increase, as do those under the head of lesser offences of assault. In the second class, *Offences against property committed with violence*, the commitments have been without change, except the marked increase of robbery, the tendency of the whole class, on a more extended comparison, being to an increase. In the third class, *Offences against property committed without violence*, which contains the great bulk of the commitments, there is an increase of three per cent., arising chiefly in the commitments for larceny from the person and for frauds. The fourth class, *Malicious offences against property*, although comprising a very small comparative proportion of the commitments, yet exhibits a marked increase, particularly under the heads of incendiarism and obstructing railway carriages. In the fifth class, *Forging, and offences against the currency*, there is a considerable increase, particularly under the head of uttering counterfeit coin, which offence has increased thirty-six per cent. on a comparison of the totals of the last two five years.

"The foregoing analysis refers to the total number of commitments during the past year; the following table shows the result of the judicial proceeding. We place the return of 1850 in juxtaposition for more ready comparison:

	1850.	1851.
Not prosecuted and admitted evidence	141	131
No bills found against	1,458	1,484
Not guilty on trial	4,639	4,744
Acquitted and discharged	6,238	6,359
Acquitted on the ground of insanity	26	18
Found insane	12	9
Sentenced to death	49	70
" transportation	2,578	2,836
" imprisonment	17,602	18,418
" whipping, fine, &c.	807	248
Pardoned without sentence	1	7
Total number convicted	20,537	21,579

The effect of the act of Parliament passed in 1849 to repeal the punishment of transportation on a first conviction for simple larceny, is more fully exemplified by the returns of last year. The capital sentences in 1851 are above the yearly average since 1841, when the last alteration of the law abolishing capital punishments took place. This increase arises chiefly on the offences of burglary and robbery, attended with personal violence or injuries. Of the 70 persons capitally convicted last year, the sentence was recorded against 53, sentence of death upon 17; and of these 17, 10 were executed, 2 of them being females. The proportion of crime among females has shown a slight tendency to increase in the last three years. The proportions are as follows:—1848, 23·4 females to 100 males; 1849, 24·1; 1850, 24·4; and 1851, 24·8.

In the offences against the person, the proportion of females last year was 13·4 to 100 males. In murder the large and increasing proportion of females, arising from the many cases of poisoning, has been much remarked. The number last year was 41 females to 33 males.

"It would be extremely interesting to compare the amount of crime with the extent of education in each county, and to be enabled to mark the extinction of the former by the growth of the latter. A remarkable instance has lately shown that crime is rife where education is neglected. In the borough of Stockport, possessing a population of 85,000, which has just made itself conspicuous for its atrocities, the reports of the School-inspector state that only 350 children were at school in the whole borough.

"We do not mean to say that education would blot out crime, but there can be no doubt of its beneficial nature; and we have hopes that our Legislature is beginning to discover that education is less expensive, and more honourable to a nation, than huge machinery in the shape of prisons, transport ships, and penal colonies for the punishment of crime."

ART. IV.—THE LAW OF LUNACY IN FRANCE.*

THE laws of lunacy have been the subject of as much anxiety and deliberation in France as they have in England; and the articles contained in the Code of Interdiction prescribing the circumstances and regulations under which persons accused of being insane may be decreed incapable of managing their affairs, and deprived of personal liberty, have been repeatedly under discussion; and their revision proposed with the view of throwing some additional security round the personal comforts and interests of persons so afflicted. The most able statesman, and the most eminent physicians, have conferred together and united their counsels in endeavouring to accomplish this end; but the wisest system of human legislation, even the laws of Lycurgus, Numa, and Solon, will be found to be defective on certain points; and if it be found so difficult to make laws for the government of a community, the members of which are presumed to be capable of reasoning, and cognizant of their civil responsibilities, how much more perplexing must it be to devise laws for a class of subjects who are placed in a very dubious position, until declared incapable of managing themselves or their affairs, and who are then unhappily too often surrounded by unprincipled relations and pretended friends, who are actuated only by selfish motives. The desecration of the dead is not a more

* "De l'Interdiction des Aliénés et de l'État de la Jurisprudence en Matière de Testaments dans l'Imputation de Démence." Par A. Brierre de Boismont. Avec des Notes de M. Isambert, Conseiller à la Cour de Cassation. Paris: Baillière. 1852.

heinous offence than the robbery of those helpless beings who have outlived the self-protecting powers of their own intellectual faculties. The insane in France are professedly a "State care;" they are so also in England, although less avowedly, inasmuch as the Lord Chancellor is the recognised "Parens Patriæ" on the part of the Crown, and the delegated representative of the reigning sovereign. There is, indeed, a close analogy between the principles and the administration of the laws of lunacy in both countries; as, however, lunatic asylums in France are specially government institutions, so they are organized on a larger scale than they are with us: witness the Charenton, Salpêtrière, Bicêtre; the physicians connected with which have constantly before them an immense field for observation and practice. We therefore take up the works of such men as Pinel, Esquirol, Calmeil, Georget, Falret, Mitivié, Voisin, Leuret, Foville, Baillarger, Brierre de Boismont, &c., with intense interest, and seldom or never lay them down without being gratified by their perusal. There appears, indeed,—and we confess it—to be more activity and greater emulation in pursuing medico-psychological researches abroad than at home, as is evinced by the number of distinguished physicians who contribute regularly to the "*Annales Medico-Psychologiques*," the "*Annales d'Hygiène Publique et de Médecine Legale*," and other scientific serials which are constantly emanating both from the French and German press. Among the *élite* of these authors who have devoted special attention to the theory and practice, and all questions connected with insanity, and who have presented many valuable contributions to this department of professional literature, the name of Brierre de Boismont stands pre-eminent. We need scarcely add, that it is well-known to the readers of this journal.

The *brochure* now before us, on the Laws of Interdiction and the state of jurisdiction in France, as affects the wills of persons imputed to be in a state of dementia—to which some notes are appended by M. Isambert, the eminent advocate to the Court of Cassation—contains a recapitulation of some of the most important of these ordonnances, which M. Brierre de Boismont contends are not framed with due regard to the present advanced state of medical knowledge. It sets out with condemning the limited application of the 489th Article of the Code, which provides that "A person of age, who is in a state of habitual imbecility, dementia, or furor, may be interdicted, even though lucid intervals do occur in this state." But before entering upon the legal merits of the points which he selects for disquisition, M. Brierre de Boismont lays before us some psychological views respecting the nature of insanity which claim our attention.

The difficulty of giving a logical definition of terms, the significa-

tion of which is nevertheless commonly understood, is well known to every student in philosophy; and the impossibility, we fear, of logically defining forms of mental disease which are nevertheless self-evident in their manifestation, gives rise, both in civil and criminal cases, to a vast amount of learned quibbling and ingenious sophistria. Fencing with shadows is a judicial art. Courts of justice are not temples for the enunciation of simple truths; as such they cannot be at once received, but must be assayed in a variety of ways; the Genius of the Law must sift and melt them down in its own crucible, and after confusing the elements together, will then set about separating them, for the purpose of bringing into evidence as much of the pure ore as it may be convenient to separate from its own adventitious and alloying dross. Hence, before such tribunals expert counsel belonging to a profession which is, in every direction, fettered with technicalities, shine to advantage in demanding medico-psychological definitions which they are aware cannot easily or readily be given. "Can the medical witness not favour the court with an explication of words which he must know are commonly used on such subjects?" "Can he not define logically [by laying down the *genus* and *differentia*] according to the rules of logic, the species of insanity which he describes?" We fear not; and have a notion that Polonius was a true philosopher when, with becoming brevity, he said to Hamlet's mother, the Queen of Denmark,

"Your noble son is mad!
Mad! call *I* it; for to *define* true madness,
 What is 't, but to be *nothing else than mad!*"

Certain it is, that all definitions of insanity, whether proposed by psychologists or physicians, have hitherto been unsatisfactory, and the one suggested by M. Brierre de Boismont is, in its turn, not less so. He proceeds on the assumption that insanity consists essentially in a disease of the reasoning faculty; wherefore, to form a just criterion, or test of the existence of mental alienation, we should acquire "*la connaissance exacte de la raison*;" but how often, as M. Brierre de Boismont well knows, do we find insane persons reason with marvellous critical *acumen* on a vast variety of subjects; sometimes even on points connected with their own peculiar delusions. Hence Locke observed, that "madmen do not appear to have lost the faculty of reasoning; but having joined together some ideas very wrongly, they mistake them for truths, and they err as men do that argue right from wrong principles."—"Essay on the Human Understanding," vol. i. c. ii.) "If the definition," says M. Brierre de Boismont, "which I have given be correct, we shall have a foundation upon which to proceed in demanding an interdiction, or establishing the nullification of certain acts;" but we confess that he gives a wider latitude to the operation of the reasoning

faculty than we are inclined to adopt. "Essayons" (we quote his own words, as being important to the argument) "de résumer ce qu'il y a de plus important sur ce sujet ; en principe la raison combine les idées, saisit leurs rapports, formule les jugements, les contrôle, en affirme la rectitude ou la fausseté ; aussi est-ce à juste titre que ces opérations l'ont fait considérer comme un pouvoir intellectuel." (p. 6.) He then refers to the commonly received division of the mental faculties into those connected with the powers of the understanding or intellect, and those connected with the affective or moral feelings, appetites, passions, affections, and propensities. Whatever may be M. Brierre de Boismont's own psychological theory, we cannot allow that reason is always concerned in the combination and association of ideas, in the perception of their relations, or in the formation of judgment. The faculties of the imagination and memory are obviously often most predominant in combining and associating together ideas, whether suggested by the subjective operations of the mind, or from external impressions conveyed to it through the medium of the senses. We do not here recognise the operation of the reasoning faculty. Again : judgment, we apprehend, is an act of the mind, specifically different from that of reason.

"The power of reasoning," says Reid, with whose philosophical essays M. Brierre de Boismont appears to be acquainted, "is very nearly allied to that of judging, and it is of little consequence in the affairs of life to distinguish them nicely. On this account, the same name is often given to them both. We include both under the name of reason. The assent we give to a proposition is called judgment, whether the proposition be self-evident or derive its evidence by reasoning from other propositions. Yet there is a distinction between reasoning and judging. *Reasoning is the process by which we pass from one judgment to another, which is the consequence of it.* Accordingly, our judgments are distinguished into intuitive, which are not grounded upon any preceding judgment, and discursive, which are deduced from some preceding judgment by reasoning. . . . Reasoning, as well as judgment, must be true or false ; both are grounded upon evidence which may be probable or demonstrative, and both are accompanied with assent or belief. The power of reasoning is justly accounted one of the prerogatives of human nature, because by it many important truths have been and may be discovered, which without it would be beyond our reach ; yet it seems to be only a kind of crutch to a limited understanding. We can conceive an understanding superior to human, to which that truth appears intuitively which we can only discover by reasoning. For this cause, though we must ascribe judgment to the Almighty, we do not ascribe reasoning to him, because it implies some defect or limitation of the understanding. Even among men, to use reasoning in things that are self-evident is trifling ; like a man going upon crutches when he can walk upon his legs."

We can assure M. Brierre de Boismont that we have no disposition

to cavil upon psychological distinctions which have not a practical bearing; but were we to admit the criterion he has laid down, that the sanity of the human mind should be tested by the integrity of the reasoning faculty, we should be necessarily obliged to repudiate the existence of all those forms of insanity in which the reasoning powers remain unimpaired, however misguided they may be by erroneous impressions consequent upon insane illusions. The inevitable consequence of his doctrine leads M. Brierre de Boismont himself, upon the very threshold of his argument, to confound together the two great elementary divisions of the mind into intellectual and moral faculties; he tells us, the distinction between the intellectual and moral powers does not really hold good. "*Si l'analyse,*" he observes, "*distingue ces deux éléments, l'observation prouve qu'ils ne sauraient être séparés.*" Whatever may be the classification of the faculties of the mind which psychologists may have adopted,—and the most common division recognised by the ancients was under the two general heads of the powers of the understanding and the powers of the will,—these faculties were never presumed to be so many distinct and separate entities, capable of acting independent of each other; but they have always been regarded as links of the same chain—elements of the same intellectual system. We apprehend, however, that M. Brierre de Boismont interprets too freely the meaning both of Reid and Condillac in the passages he has quoted, for the purpose of showing that they agreed in the absolute unity of the intellectual and moral faculties. What is the language of Reid on the subject? "As the mind exerts some degree of activity even in the operations of understanding, so it is certain that there can be no act of will which is not accompanied with some act of understanding. The will must have an object, and that object must be apprehended or conceived in the understanding. It is therefore to be remembered, that in most, if not in all, the operations of the mind, both faculties concur, and we range the operation under that faculty which hath the larger share of it."—(*Intellect. Powers. Essay I. chap. vii.*) In the passage quoted by M. Brierre de Boismont from Jouffroy's translation, the English philosopher observes—"The faculties of the understanding and of the will are easily distinguished in thought; but it happens very seldom, if ever, that they are disjoined in operation. In the greater number of the operations of the mind, perhaps in all, the two faculties intermix, and we are at the same time intelligent and active."—(*Brochure, p. 7.*) Here, however, it is clear that Reid does not, as M. Brierre de Boismont interprets, affirm the unity of the intellectual and moral faculties; he recognises their separate existence, and tells us only, that they act co-ordinately, and we "range the operation under that faculty

which has the largest share in it." Neither does the quotation from Condillac support the hypothesis. "If we would," he observes, "appreciate the mind properly, it is not enough to analyze the operations of the understanding, but those of the passions also which combine together under the same cause," which we may readily admit without assenting to M. Brierre de Boismont's inference, that would annihilate the identity and distinction which may clearly enough be drawn between the intellectual and moral faculties. All that Reid and Condillac could possibly mean is, that these different faculties act, as we have repeatedly observed in this journal, "in and through each other," as they are as much parts of the same system as the different levers and wheels of a steam-engine are parts of the same machine, the operations of which being combined, produce a given effect. They may nevertheless be separately recognised, and each *per se* identified; hence the different intellectual faculties are subject to specific lesions—perception, memory, judgment, imagination, may each in its turn be affected, and give a morbid colouring or tone to the mind in its unital condition. The faculties of perception may, from physical causes affecting the brain, be deranged, and the judgment, unimpaired, continue to be capable of correcting its false impression, as was the case with Nicolai, who reasoned against the existence of the spectral illusions which he beheld. Illusive appearances are frequently so impressed on the retina, and these false perceptions upon which persons themselves reason at the time they exist are well-known pathognomonic signs of many diseases, which affect by sympathy the organs of sense. Again, the memory may be affected in such a variety of ways, that an account of the lesions to which it is subject would carry us far beyond our present limits. Suffice it therefore to observe, that the intellectual faculties are subject to their own specific aberrations, which must be well known to M. Brierre de Boismont, as well as to all physicians who are engaged in the practice of insanity. What is true as affects the faculties of the understanding, is equally true as affects the moral and affective faculties; the appetites, affections, and passions of our nature are equally subject to perversion and derangement, albeit the faculty of reasoning and the other powers of the understanding may remain unimpaired. Such cases come under the head of Moral Insanity. "It is indeed strange," says Sacasse, the eminent French advocate, "that the moral faculties of an individual shall be deranged, yet the intellect retain its normal state of activity." It may be so; but facts, irrefragable facts, observed by Pinel, Esquirol, Prichard, and others, clearly prove that such may be the case. The intellectual faculties—"the powers of perception and imagination," observes Pinel, "are frequently disturbed without any excitement of the passions;" and, on the other hand, he adds, "the functions of the understanding are perfectly sound, while

the man is driven by his passions to acts of turbulence, outrage, and insanity." We therefore differ from M. Brierre de Boismont, who argues that the application of the criminal and civil code of insanity should be founded on the recognition of the principle that an integral unity exists between the intellectual and moral faculties : we hold, on the contrary, that these faculties, although co-operating and blending together, are so many distinct powers, differing in their modes of operation, and subject each in its turn to characteristic aberration ; but as the mind can only be occupied with one idea at one time, it is as a *whole* affected when under the influence of any specific lesion. We have dwelt upon this psychological point at some length, because it is of great practical importance in the pathology of those mental diseases which so frequently come under medico-legal discussion.

The laws of interdiction in France have been very carefully and cautiously devised by the legislature ; but it is complained, with justice, that many of the enactments are not sufficiently explicit and comprehensive, and do not come up to the present state of medical knowledge. The 489th Article is complained of as being particularly defective :— "A person of age who is in a state of habitual imbecility, dementia, or furor, should be interdicted, even although lucid intervals may occur in such states." This article suggested a Memoir which M. Brierre de Boismont read about twenty years ago to the Academy of Science :—

"He could not," he informs us, "from his own observations and experience, do otherwise than perceive its extremely limited application, inasmuch as cases of furor may have been common when patients were chained, beaten, and exhibited like wild beasts ; but this state of things no longer exists ; and in well-conducted establishments we seldom witness states of furor excepting as a temporary *passager* symptom of acute mania. The legal signification of the word dementia is very different from that which physicians understand by it as indicating a state of chronic debility, and sometimes rapid failure of the intellect. A very considerable class of insane persons—monomaniacs—are not even mentioned. Whatever latitude may be given to this 489th Article, logically and practically speaking, it would be impossible to include under either of these three denominations that singular aberration of mind which dwells only on one idea—or rather, on a series of ideas—while the person so affected appears to preserve the integrity of his reason on all other subjects."—p. 16.

What becomes of M. Brierre de Boismont's criterion of insanity—the "*connaissance exacte de la raison*"—which should be the only principle upon which persons should be held amenable to the laws of interdiction ?

"The madman (he continues) who imagined that he had a head made of glass, and whom Alexander of Tralles cured by covering it with a

helmet of lead, was neither imbecile, demented, nor furious. The same remark applies to the Jesuit, Sgambari, who, supposing himself a cardinal, answered one of the superiors who endeavoured to persuade him of his delusion :—‘ One of two things must be true ; I am either in my senses, or I am mad ; if I am rational, your language is exceedingly impertinent ; if I am mad, you are more insane than I am, to attempt to convince me by reasoning with me.’ These two persons obviously came under that division or form of disease to which the term of monomania has of late years been applied, and which is composed of innumerable kings, poets, sorcerers, imaginary popes, &c.—a variety of insanity observed in the most remote ages ; the only novelty connected with which is the term under which it is now designated—viz. monomania.”—*Brochure*, p. 16.

Certainly, it is remarkable that the Code of Interdiction should not have contained any article specifically applicable to a form of disease so frequently observed, and which often very seriously implicates the disposition of property, and the safety of the public ; but such is the force of truth, that notwithstanding the indisposition of the authorities in France to recognise this form of disease, we have two cases published in the *Brochure* before us, one tried before the Tribunal de la Seine, the other before the Court of Appeal at Bourdeaux, in which the validity of two wills was disputed and set aside upon evidence proving the testators, in each case, to have dictated them under the influence of monomania. The observations of M. Brierre de Boismont, and the cases to which he refers, are exceedingly interesting ; but the evidence in proof of the existence of monomania, intellectual and moral, we conceive to be already sufficiently conclusive.

The legislation for the protection or interdiction of the insane upon general principles must necessarily involve many extremely difficult points ; and among these none can be more perplexing even for the physician than to determine the precise period when, during the invasion or early stages of the disease, an individual should be declared within the jurisdiction prescribed by the code. We find persons, before the existence of insanity is suspected, committing eccentric, and, towards themselves, ruinous acts ; squandering away large sums of money, and diverting their inheritance out of its natural channel, away from their own children. Yet the apparent integrity of their intellectual faculties, when such deeds were executed, and such wills drawn out, could not be doubted. Many such cases are given by M. Brierre de Boismont, and in a medico-legal point of view they are exceedingly interesting ; but during the stage of *incubation*, a subject to which a few years ago we devoted a special monograph,* and before any *bond*

* “On the Incubation of Insanity,” by Forbes Winslow, M.D., published in the “Transactions of the Medical Society of London.”

vide act of insanity has been palpably committed, we do not perceive how any person can properly be declared within the jurisdiction of the law. We may know, we may clearly recognise, the existence of the incipient or rather premonitory symptoms of the disease, which may be visible only to an experienced eye, but until the malady has unequivocally declared itself, such is the jealousy which must ever guard the liberty of the subject, that any interference would be considered premature; and the self-infliction of an individual wrong must be allowed rather than the admission of a principle, the misapplication or abuse of which may peril the rights and liberties of other members of the community. We cannot arm the law with an authority to execute its mandates by anticipation; the evil it contemplates controlling must *de facto* be proved to exist; but the relations or friends of persons who are suffering from an impending attack of insanity, should have recourse to a physician who is conversant with the treatment and pathology of mental diseases, and adopt such measures as he may recommend. Hereby many a sad domestic tragedy now recorded in the annals of domestic history might have been averted; and we feel assured that in many such doubtful and anomalous cases a timely appeal to the physician would save the misfortunes of many private families being exposed in detail before the inquisitorial investigation of a public court. The hand of Humanity would ever willingly draw a veil round the afflictions of the domestic hearth. In all cases where the disease is known to have been hereditary; where symptoms of approaching paralysis, partial or general, are manifest, and where epilepsy has already supervened, the prognosis must be unfavourable; and the presumption is, that sooner or later the laws of interdiction will of necessity be appealed to for the protection of a person so affected.

While the greatest circumspection should be used to protect an individual suspected of being insane, from being prematurely placed under interdiction, so the same amount of care ought to be taken that the legal restriction over his civil rights and liberties should not be continued longer than is necessary. The duration of insanity, its curability or incurability, must in many cases appear very doubtful, and the physician may be called upon to give a prognosis which will be attended with very serious responsibility. Many years ago, an opinion prevailed that this disease was incurable, and doubtless many unfortunate creatures, chained to the walls of their cells in the *oubliettes* of the Bicêtre, and other lunatic asylums, died the victims of this deplorable and cruel ignorance. But since Pinel and Esquirol humanized the treatment of insanity, and enlightened the public mind, this erroneous notion has been exploded; and, according to the calculations of M. Brierre de Boismont, one out of three cases of every

form and variety of the disease is now curable. There are many difficulties, we fear, attending an accurate return of the cures in lunacy; and many of the statistical tables published by our own county asylums present us, we suspect, with only approximative results. It is not easy indeed to trace the history of discharged patients, many of whom having been sent away and returned "cured" or "recovered" in the column of the "Register of Discharges," may nevertheless relapse, and be lost sight of even by the Commissioners. The prognosis of the malady being incurable ought, at all events, to be pronounced with very great caution, as is sufficiently proved by many cases to which M. Brierre de Boismont has referred. One of these is reported in a memoir by Dr. Renaudin. A gentleman after being declared incurably insane, perfectly recovered; the interdiction was of course superseded, and upon recovering his liberty, he found that his library and a valuable collection of curiosities, which he had been at great pains in collecting, had been long since sold. Another gentleman, in the prime of life, was placed under interdiction; he remained for several years in an asylum, and eventually recovered. Upon his return home, he found himself completely stripped of all his possessions; his house, furniture, and all his personals, had been sold, and he no longer retained a single acre of land. We hope, under our own system of commissions in lunacy, *we* "manage these things" *better than they do* "in France;" and that the committee of the person and estate, responsible to the Court of Chancery, will be found, in most cases, to exercise the powers delegated to them with discretion and judgment. As some guide to our forming our prognosis, M. de Brierre de Boismont, after alluding to the labours of Séguin, Vallée, Voisin, Belhomme, Guggenbuhl, in ameliorating the condition of idiots and cretins, observes,

"Cases of dementia are reputed to be incurable. Chronic insanity is not easily cured; and the difficulty is increased in proportion as the predisposing causes have been long in existence before the irruption of the disease. When the malady follows general paralysis, scorbutus, epilepsy, and is attended with symptoms of dementia, it is incurable. When the organic functions preserve their wonted integrity, and the patient eats, sleeps, and gains flesh, we may anticipate a cure. When the delusions, however, are very extravagant, or the insane are prompted to eat their own excrements, they are seldom curable. Insanity arising from moral causes, which have been slow in producing the effect, are cured with difficulty; as are also those patients who are led away by religious delusions, self-exaltation, and hallucinations. The insane who can reason upon, and form a pretty correct judgment of, their own condition, are very difficult to cure, unless the return of their rationality be very speedy. (Esquirol.) Insanity arising from intemperance, or the abuse of intoxicating liquors, may be soon cured,

particularly in the beginning of the disease, or if it be the first attack. Puerperal mania is of transient duration. Cases of monomania are cured with less facility than those of mania; and monomania, when the patient is cheerful, is more curable than when attended with depression of spirits (*lypmania*). In general, insanity, although hereditary, may be cured; but relapses are to be apprehended. However long may be the period that mental alienation has existed, recovery may still be hoped for; and whenever moral causes act promptly and manifestly, the circumstance augurs well for the cure."—*Brochure*, p. 53.

These conclusions M. Brierre de Boismont has deduced from his own very extensive observations and experience; but as every case must be judged of by its own peculiar features and progress, it is not easy to lay down any general rules of prognosis. The lucid intervals which sometimes unexpectedly occur, and which are not unfrequently of considerable duration, are very apt to mislead even the experienced physician, who is always naturally anxious to comply with the wishes of the relations and friends of a patient who appears to have recovered his reason, and to be again capable of managing his affairs. Upon this subject the observations of M. Brierre de Boismont are extremely judicious, and lead him to consider the circumstances under which the *main-levée* of the interdiction should be recommended. In such cases the same difficulty exists in France as in England, for experience constantly proves, it is extremely difficult to get the Court of Chancery to supersede a commission in lunacy. The object of the interdiction, as of the commission, is the protection of the lunatic and the management of his property during his temporary incapacity to conduct his own affairs. When, therefore, he has perfectly recovered, and is in a sound state of mind, such restriction should undoubtedly be removed. Lord Eldon, one of the most conscientious and learned judges that ever adorned the bench, observed, that "there was no part of the jurisdiction in lunacy more unpleasant, and requiring greater caution, than that of determining when a commission should be superseded; for though a safe conclusion may, upon evidence, be arrived at in establishing lunacy, it is very difficult to determine when the mind has been restored." The difficulty, however, consists, not in the interpretation or administration of the law, but in proving that the recovery is complete, and likely to continue permanent.

We could obviously avail ourselves of the many interesting and suggestive observations of M. Brierre de Boismont, to prolong our present notice to an almost indefinite extent, but our limits are circumscribed. We dissent, it is true, from some of his psychological views, but these do not affect the results of his experience in the treat-

ment of the disease, nor are such differences in theory any reproach to the study of psychology, or the practical application of its doctrines. There are many diseases of the body the pathological origin of which are as little understood. Who has yet satisfactorily shown the origin of tubercular consumption? Nevertheless, physicians agree upon the principles which should guide them in the treatment of this complaint. It is the same with insanity; our psychological theories may differ, but all physicians who devote themselves to this speciality of the profession are agreed upon the principles which should guide them in the medical and moral treatment of its different forms and varieties. We therefore recommend M. Brierre de Boismont's able pamphlet, "De l'Interdiction des Aliénés," to the attention both of the medical and legal profession; it is replete with facts which will be read with interest.

Original Communications

MENTAL DYNAMICS, IN RELATION TO THE SCIENCE OF MEDICINE.

A COURSE OF LECTURES DELIVERED BY M. LORDAT, PROFESSOR OF PHYSIOLOGY
IN THE UNIVERSITY OF MONTPELLIER. ARRANGED AND TRANSLATED BY
STANHOPE TEMPLEMAN SPEER, M.D., CHELTENHAM.

LECTURE II.

GENTLEMEN—It is impossible to speak of senescence and insenscence, without at the same time considering that of which they form an integral portion—life. I have already alluded to this in a general way upon the occasion of my opening lecture, but I now shall renew the subject in a more didactic manner; this I trust will be of service to us, not only in our investigation of the chief object of the present course, but also in enabling us to obtain definite notions of life itself; inasmuch as the term by which it is usually expressed, is employed in an acceptation so vague and so *arbitrary*, as to become the cause of numberless controversies. I think that it may, however, be possible to avoid these dissensions, through the medium of an accurate definition.

What then is life, taken in its most general acceptation, and such as we see it in all things possessed of vitality, to whatever kingdom they may chance to pertain?

Linnæus, in his "Philosophia Botanica," thus expresses its elementary constituents, when saying that the reality of life, as it exists in a given body, is proved by the following phenomena:—"Ortus, nutritio, ætas, motus, propulsio, morbus, mors, anatomia, organismus." To define the same object, I shall also endeavour to construct in our own language a sentence combining the majority of the above characteristics, together with a few others which I conceive to be of importance.

Life is a *temporary phenomenon*, consisting in this, that a *uniting prin-*

ciple, proceeding by *succession* from a living aggregate—primitively infinitesimal, inconceivable, and formative—arranges and *constructs* slowly, from a *variety of heterogeneous and incompatible* elements, and at the same time *maintains the integrity* of, a combination eminently unstable and perishable; in which, however, it *carries on a plurality* of conservative functions—*expands, develops* itself, acquires its maximum of intensity, and at a given period commences its retrograde course and consequent tendency to extinction; a result which at length takes place, without the primitive aggregate having lost the *conditions essential* to the *habitation of its original principle*, which at its departure leaves its quondam tenement at the mercy of those *destroying agencies* to which it is physically liable by the heterogeneous nature of its elementary composition.

I confess, gentlemen, that this protracted definition has left me almost breathless; but, in spite of the objections that might be urged against it on the score of taste, I shall adopt it, if intelligible to my hearers; and to assist in rendering it so, let me offer a few comments on each word that has been pronounced with an intentional accent.

1st. *Life is a temporary phenomenon*.—It is not the permanently infinite condition of a body. It is not a quality of matter—a property of substance—as are the forms of crystal, or the physical and definite characteristics of any given material. It has rather an approximative duration, the span of which varies in different species; but is nearly constant in the different individuals of the same species. Nor are the successive periods of this interval of time indiscernible; on the contrary, each one may be distinguished from its successor and predecessor, not only by its position, but by forms, functions, and aptitudes peculiar to itself. All the known phenomena of life have been estimated by their period of duration, or, in other words, by their commencement and termination.

2nd. *A uniting principle*.—Connecting, unconsciously as it were, its varied operations, whether simultaneous or successive, by a process similar to that by which we perceive certain actions to be in conformity with the preconceived projects of the intellectual principle itself.

3rd. *Proceeding by succession*.—This principle is not of spontaneous creation—in other words, is not of abstract origin; nor, on the other hand, is its formation due to general causes of a physical order. It is begotten, neither by the laws of mechanics, of chemistry, nor yet of any imponderable cause whatsoever; but it proceeds from a living body. We know that it is transmitted from an ascertained source of parentage, or at least from an aggregate, that enjoyed an existence either at or before the period of its birth. We acknowledge no spontaneous generation; and if the progenitors of a living being have not the same form that it itself possesses, the cause is to be sought for in this, that the vital force on the maternal side has possessed the faculty of creating parasites—a power which is found to exist in a variety of species belonging to the different kingdoms of nature (intestinal worms); or else that the elements constituting the aggregate of the maternal progenitor were themselves the product of a parent, similar to the living object at present under our notice (worms produced in the decomposition of animal matter). Harvey has said, that every living being was of ovular origin (and let us hesitate before denying the veracity of so great a man); for it is certain that we see none, that have not their origin at least, in another living being.

4th. *Infinitesimal*.—I thus denominate a principle, which is susceptible of growth, but which at its commencement is possessed of dimensions, to us inappreciable and incomprehensible.

5th. *Unimaginable*, as regards its nature. We can compare it to nothing that comes within the scope of our senses, nor yet to aught that the imagination may create. We know of it but the actual existence and causal power; the remainder is beyond the limits of our finite understanding.

6th. *A plastic or formative power.*—In the production of a living body there exists a cause, which is not the power of crystallization, the power of cohesion, nor any known or unknown chemical or physical agency. It is *plastic*; that is to say, it fashions an aggregate, and models it into shape far better than could a sculptor, inasmuch as, not content with imprinting upon it an external configuration, it gives a form to all its internal parts. The plastic or formative process can have no connexion with that of crystallization, since in this the general appearance is but the result of an accumulation of elementary shapes, all of which are identical . . . whilst in the former the elementary principles are amorphous, and each individual form has necessitated for its formation a special act.

7th. *The plastic principle unites and maintains in contact, elements in themselves heterogeneous and incompatible.*—Yes! these elements consist of atoms which no natural affinity could attract, and, as such, the intervention of an unseen influence becomes necessary, to bring them together. I have said, that these heterogeneous elements are of themselves incapable of association (at the risk of being guilty of a pleonasm), only to prevent any misconception relative to the activity of that power which retains them in one definite combination, in spite of affinities recognised by the laws of chemistry. Vainly do these atoms tend to repel each other, to form new compounds, to obey diverging or diverging causes; an irresistible power constrains them to a forced quiescence, and their natural and physical affinities can only be exercised, when this same power shall have been destroyed.

Many of my auditors have doubtless read a witty satire, entitled “Medical Art; or, The True Secret of Success in Medicine.” Probably they may have noticed in it a remark directed against the advocates of the polypharmic system, who pride themselves on the multiplicity of drugs they can administer in one prescription, and value these only in proportion to the number of ingredients they contain; although, as in the language of the satire alluded to, these very ingredients “may curse the hand that has brought them together.”

Well then, gentlemen, that which ignorance and quackery are daily guilty of, in the money-getting department of our profession, is done by the vital force, in order to form the crisis of its aggregate; or, to repeat the words at the head of this last proposition—*The plastic or uniting principle maintains in contact; elements in themselves heterogeneous and mutually repellent.*

8th. *The creative power of vital phenomena, performs certain functions, increases and develops itself; attaining finally its maximum of intensity.* The series of these functions is the continual manifestation of life, and the means of its conservation; their interruption for a sufficient length of time producing, not only the deterioration and extinction of the vital force, but, in addition, the destruction and consecutive dissolution of the entire system. The functions alluded to, are of two kinds:—1st. Those pertaining solely to the integrity of the aggregate itself, furnishing it with the means of fulfilling its destiny without being prematurely exhausted. 2nd. Those, the effects of which are mainly directed to the welfare of the species, inasmuch as their office is the procreation of an individual, similar to the original.

The functions included under the first head remain in exercise during the whole of life; their activity being proportionate to the intensity of the vital force, considered in relation to the epoch of its duration. Those pertaining to the second series—viz., the generative functions, are limited to a certain period of life.

The manifestation of these functions varies in the different species. In some, that of generation begins at the time that the system has attained its full maturity. It is thus with the silk-worm. In the salmon, the generative power is evinced by the female, only on attaining the adult condition; whilst in the male it comes into play, when but a few inches in length.

Diseases, again, are the expression of various fluctuating conditions of the vital force. In one point of view, indeed, they may be regarded as functions,

since they consist of acts which tend to a useful purpose, but in the course of which the said power may fail.

In the development of a living aggregate, two points require to be considered separately—the process of growth and that of invigoration. It is easy to perceive that they are distinct, although generally running parallel the one with the other. The vigour of the system may be susceptible of daily variations; the dimensions of the body, however, are incapable of experiencing such sudden changes. In considering, however, the aggregate from a more general point of view, we find the principles of growth and invigoration to be so interwoven, even from the origin up to the maximum of intensity of the vital force, that if the well-being of the system be in any way interrupted, it becomes often a matter of difficulty to determine which of the two has taken the initiative. Has a physical impediment to the process of growth produced the diminution of strength? Or, has the diminution of strength rendered the growth tardy? Let it, however, be remembered, that after the culminating period has passed, the above relationship no longer exists.

9th. *After acquiring a maximum of intensity, it begins its normal downward progression.*—The maximum of development in a living aggregate, occurs at that particular point of time, which divides the natural span of life into two distinct and equal periods; the one of augmentation, the other of declension. Its corporeal value having increased at first both in dimension and aptitude, then gradually experiences a diminution, not indeed of dimension, but of functional capability.

In each species there exists a definite proportion of time between the duration of development and that of degradation. In some, this proportion is about equal; in others, the period of development is long as compared with that of decay. Let us take, for instance, the silk-worm. Its transformation into the butterfly must be considered as its period of apogee; but we know that this brilliant appearance is but a speedy forerunner of death. So it is with many annual plants. Behold the contrast between their vital existence and that of shrubs and trees.

If, however, after that the culminating point in the career of the vital principle has been attained, there be not invariably a diminution in the weight and volume of the aggregate material; and if, as is even possible, there should happen to be rather an augmentation of these properties, there is at least, and without exception, a withering which constitutes an indisputable sign of antiquity. As being the result of debility on the part of the vital principle, it may indeed deceive us by manifesting itself at an earlier or later period than usual, but the error can be but of short duration.

10th, and lastly. *Disappearance of the vital principle before the aggregate has become sensibly uninhabitable—necroptic decomposition.* The reduction of this aggregate to a cadaveric condition, must of necessity enter into the definition of life as an essential characteristic. Those who maintain that life is but the result of an instrumentality on the part of the aggregate, overlook this fact. They would wish us to believe that the cessation of life is the effect of mechanical deterioration and exhaustion. But this assertion is either an error or a falsehood; and we know full well those cases in which the decline of the vital principle has been accelerated, by some alteration capable of marring its conservative functions. The truly scientific physician may well deserve our confidence when he affirms, "That in the great majority of deaths, whether senile or premature, the anatomico-pathological appearances are insufficient explanations of the same."

Here, then, we have a series of ideas united in such a manner as to afford a general notion of life in beings of every description, from the lowly moss to the cedar of Lebanon,—from the lowest form of infusoria up to man himself. I affirm, that a body is endowed with vitality when I see that it is the seat of those transitory phenomena which I have just described.

Certain materialists, again, would have us believe, that the gyratory movements of particles of camphor on the surface of water, and also those produced during the formation of some chemical combination noticed by M. Geoffroy-St.-Hilaire, should be looked upon as "the rudiments of life." But I would ask, what relation do these said movements bear, to the series of elementary phenomena which I have just described as in truth constituting life.

Cabanis, unwilling to allow that it can be derived from any other source but that of physical phenomena, says—"The conditions necessary to the manifestation of life in animals are not, probably, more beyond the reach of discovery than those from which result the composition and formation of water, hail, and snow; or the production of many chemical compounds, possessed of properties entirely different from those of the elementary principles from which they have been formed."

The question, however, is not to ascertain whether it be more difficult to discover the theory of life than that of the composition of water, hail, &c. What it imports us to determine is, whether from the form, succession, and co-ordination of certain appreciable facts, phenomena of a vital and physical order can be attributed *à priori* to a set of causes alike unknown to us. The transitory nature of the phenomena of life, its hidden powers, its faculty of uniting molecules, otherwise insociable, its progressive ascension, culmination, and declension, its annihilation, without obvious or sufficient physical cause, a series of conservative functions . . . do these facts belong to the same order of causes that give rise to the storm and thunder of summer, the snow and ice of winter? An answer is necessary if we aspire to the creation of a science. Common sense suggests to us the propriety of suspecting hidden agencies, by a consideration of the relationships and diversities, which we see to exist in their effects. Hence it is that philosophy has instituted two distinct series of causes, the one of physical, the other of metaphysical origin. But Cabanis, an ardent materialist, admits no such distinction. With him all is the result of blind necessity; we must not employ such terms as *why*, *wherefore*, *design*. Doubtless you have hitherto been credulous enough to suppose, that eyes were created for the purpose of seeing, teeth for the mastication of food. It is absurd, however; these facts are as much the result of blind necessity as the fall of an antique tottering building. But I ask you, is this science?

Some of the ancient writers have discussed at length what they term the vitality of the world. Lucretius describes the phases of its existence, and even its old age. This, however, is but the offspring of poetic licence. Does it become you or me to speak of the life of an object of which we know neither the origin, growth, development, decay, dissolution, or decomposition?

What, then, shall we say of the dogma of Strabo, Spinoza, and Campanella, that everything is endowed with life? How is it possible to apply such a term to this marble table, to this pulpit in which I stand, to those benches on which you sit? I see in them none of that succession of phenomena which, in my opinion, constitute life. Let others assert, if they will, that there exists everywhere an activity, a tendency to motion; well and good; but life is something more than mere motion.

Among the numerous theories of Spinoza regarding the life of man, there is one, which some have considered as ingenious, others, as far-fetched. . . . It is this—viz., that the vitality of the living human aggregate is but the material aggregate itself, seen from one particular point of view; and that in man as a living being, there has been no diversity of causes at work.

Now, common sense tells us nothing of the kind. On the contrary, it teaches that there really exist three causes, which it is impossible to include in one category: 1st. The cause which brings together and retains in contact the molecules. 2ndly. The molecules themselves. 3rdly. The principle of intelligence. Neither of them is of necessity derived from the other, and they are

adventitious, each in regard to the other. The vital principle is anterior to the formation of the material aggregate, and the principle of intelligence depends neither upon the vital principle, nor upon the aggregate material, since a child without brain or spinal cord may live for a certain time, though utterly devoid of the principle of intelligence. A recent corpse can engender neither this principle nor that of vitality. It becomes, therefore, essential to consider a diversity of causes separately, and not one self-acting agent, regarded under as many varied aspects as we may choose. If the assertion of Spinoza be not a riddle, it is either a mystification or an absurdity.

But I am wrong in thus speaking; it is rather an unintelligible artificial language, instituted merely to accustom the mind to his fundamental doctrine; the unity of matter. When we wish to affirm that God is not distinct from the world, it may reconcile the hearer to so startling an assertion if we first lead him to regard any substance whatever, as matter, spirit, deity. But again let me ask, can Science lend herself to so revolting a fiction?

Enough, then, as regards life in general; but as you have been told previously, that the form of its duration differs in different species, which it thus characterizes and specifies, it becomes necessary to take a bird's-eye view of the circumstances which modify the varied features of this abstract sketch, in order to apply it to man.

We shall not dwell long upon the early periods of life. Pliny has said, that man at the moment of birth is the most miserable of all animals; that which most needs the assistance of his fellows; and we must allow it. Man is born with no other instinct than that of breathing, crying, and swallowing. How far removed is he from the foal that runs as soon as born; the chicken, that seeks its food as soon as it emerges from the shell; or the nest bird, which, perceiving the approach of its parents, raises its head, extends its neck, opens its beak, chirps, &c.

We confess, therefore, that at the moment of birth, man, whose uterine existence constitutes about the hundredth part of his natural life, is, of all newly-created beings in the animal kingdom, the least advanced in biologic development.

Were we to apply to a man at birth, the term elephant, buzzard, goose, mule, &c., we should certainly pay him a compliment; as, however, after the lapse of twenty years, its repetition would undoubtedly be received with very bad grace, it stands to reason, that in the interval he must have indemnified himself to no small extent. What, then, are the advantages he has acquired?

Man has undergone a process of development (similar to that of animals) in proportion to the duration of time peculiar to the life of his species. As in brutes, so in him; all those functions pertaining to his preservation and propagation have been active. He has therefore been their equal in this respect. But what has placed him before and above all, has been the expansion of a hitherto latent principle, constituting in him a being beyond the pale of all other living objects.

Thus, we find in the life of man two parts which it is impossible to regard in the same light, but which require to be studied separately and in detail. The first is that, which emanates from the vital plastic principle, and is similar to that of all other living beings, and especially of animals. The second is the intellect itself, the activity of which is only manifest after birth, and cannot possibly be placed in juxtaposition with the life of these same animals. The former consists of everything relating to the formation and maintenance of the material aggregate, or to the furtherance of the species; the latter is the representation, as it were, of an epic poem, the varied subjects of which are for the most part independent of any interest in the stage on which they are represented. And thus the life of man affords us two distinct subjects of investigation—first, the aggregate and its preservation, which we designate, the canvas or rough draught of the individual . . . and secondly, the series

of scenes represented upon it, which are the work of the intellectual principle. It is the comparison of these two objects which at present occupies our attention. Let us therefore first examine the proceedings of the formative or plastic process. To this I shall apply the term *zoonomic life*, or that which is conformable to the laws of the vital constitution of animals; reserving the term, *intellectual life*, to that portion of human existence controlled solely by the principle of intelligence itself.

Let it not however be supposed, that all the functions essential to the preservation of the individual and his species, are uninfluenced by this latter principle. I am well aware, that in man, when instinct is limited, the more important functions of relation require the co-operation of the intelligence.

I do not, however hesitate, to include under the head of *zoonomic life*, in man, every function analogous to what takes place in certain animals living in a state of nature. But I must be permitted also to comprehend under the head of intellectual existence, those additional functions of which animals are incapable.

This distinction having been made, it becomes essential to compare the intensity and progression of these two forms of elementary life. I must, however, explain the meaning I would here attach to the two words, *intensity* and *progression*.—I have previously had occasion to institute a comparison between the vital force and the intellectual principle, in relation to their individual aptitudes; such comparison then has been *qualitative*.

But these two principles may be compared in a mathematical point of view; in relation, for example, to the amount of activity, and to the rapidity of successive acts, &c.; constituting their *quantitative* value.

Now the points of comparison which I purpose to institute, between the *zoonomic life* and that of the intelligence in man, while seeking to ascertain whether they alike undergo such changes as youth, culmination, senescence; belong to this latter category—*i. e.*, they are *quantitative*. I include them in the terms *intensity* and *progression*. The former expresses the amount of functional activity, regularity, tenacity, and endurance. The latter constitutes the order of succession in which augmentations and diminutions of the vital force take place.

Having advanced thus far, let us inquire as to what are the most certain facts connected with the intensity and progression of these two divisions of human life. We may commence with that which I have styled the *Zoonomic*.

1st. The Vital Principle, possessed of so little tenacity, so little power of endurance, as to be annihilated with the greatest facility, possesses, nevertheless, a prodigious activity. In the space of nine months, or less than the hundredth part of a natural life, it has succeeded in forming a perfect system, the further increase of which takes place more slowly after this period.

2nd. The development of the aggregate, both in dimensions and in aptitude, continues up to about the middle period of life—that is, to forty or forty-five years. It may take place at one time in height, at another in consistence, at another in weight, but always in vigour. Formerly it was supposed that a real vital increase took place up to this period; it was, however, but a conjecture. Now, however, and since the laborious investigations of De Parcieux on the mortality of the human race at different periods of existence, it has been shown by Barthez, that towards the middle period of the normal duration of life, there is in reality a true increase of vital capacity and aptitude, evinced by its augmented powers of endurance and tenacity.

3rd. After this epoch there ensues a declension, the course of which is analogous to the previous progressive ascension. It has been remarked that there not unfrequently occur irregularities, which mar the otherwise continuous course of progression and retrogression.

4th. Cases of longevity usually present an equality in this particular; if retrogression be slow, progression has been so likewise.

5th. True senile death, consists in a simple extinction of life without disease; such as that of Fontanelle, who merely felt, when at his last gasp, the difficulty of continuing to exist. This termination, however, is rare; more generally it is accelerated in a greater or less degree by some disease, which, however trifling, proves sufficient to occasion a premature and hurried retrogression.

6th. At any period during the course of life, its phenomena may be suppressed, whether by some violent disorganization of the system, by the suspension of one of those functions denominated vital by Galen, or by an accidental encounter with certain destructive influences, as of poisons, or of deleterious miasmata, &c. This sudden termination of existence is too common to need particular notice.

7th. One thing, however, I must press upon your attention, which is, that at any period of its course the vital principle may undergo a fatal retrocession, tending, indeed, to abridge the natural duration of life, but not to be regarded or confounded with violent or sudden death. The system at the time may be in full vigour; but from some constitutional peculiarity, or from the super-vention of some malady, a premature retrogression of the vital powers takes place and proceeds with more or less rapidity. The ordinary functions become feeble, imperfect, at length cease, and the vital force itself is prostrated and finally extinguished.

This irrevocable declension on the part of the vital principle may always be looked upon as an old age more or less *accelerated*, whether it occur by *anticipation*, or at the *legitimate* epoch. Thus the majority of acute and chronic diseases terminating fatally, but lasting a considerable time without rendering the vital organs *utterly* inadequate to perform their necessary functions, are cases of *accelerated* senescence.

As most of these facts may be considered as quantitative comparisons, it is not very difficult to express them somewhat geometrically, by lines and figures. You are aware that algebraic and chemical truths have been thus usefully demonstrated. Let me, therefore, employ the same means, to fix in your memory the physiological truths which I wish to establish.

The figures I propose to employ, are imaginary solids. I show you, however, merely their outline.

The temporary duration of life may be represented by the figure of a spindle, one point of which stands for the first moment of existence; its gradual expansion corresponding to the periods that succeed, up to the full development and culminating point of the vital force; while the gradual tapering of the spindle, from its centre to the opposite extremity, represents truthfully the different phases of old age, and its termination in a point, similar to that which served to mark its commencement.

To render this simile more mathematical spindle, thus—
their respective bases, the out-




exact, it is better not to employ the composed of two pyramids united at line of which would represent a


In such a figure the culminating period would be indicated by a mere line. But this same period is not thus indivisible; it is, on the contrary, of some duration, and may leave us for some time uncertain as to whether the vital principle is approaching or departing from its meridian. To imitate this uncertainty in a figurative point of view, it were preferable to employ the outline of an ordinary spindle, made so that sections of the central part shall afford a number of circles, scarcely larger the one than the other. This figure, then, bear in mind, not only affords a type of the duration and progressive tendency of life in a zoonomic point of view, but accurately corresponds in its central part, to that somewhat uncertain period at which culmination takes place.




Another remarkable circumstance connected with this phase of existence might be graphically represented. I allude to the variations which take place

in the vigour of the creative powers, without altering the general form of the collective phenomenon. At all ages diseases may occur, and during their manifestation there is not unfrequently a diminution in the intensity of the vital principle; but when such diseases have terminated, then follows a period of convalescence, and often, of increased health and vigour. As a rule, however, these alternations have but little effect on the general course of existence; the retardations which it may experience in youth, do not prevent an onward progression up to a stated period, while the reinforcements it may perchance receive during its declension are insufficient to obviate the tendency to final extinction.

The expression of the above fact may be figuratively represented by the varied ornaments carved upon a spindle by means of a turning lathe. However profusely de-

 corated, you may always recognise the two
 tral expansion, and if the plan of such a
 paper, the outline will be more or less scol-
 form of the polygon will always be that of a

With regard to the premature senescence mentioned by Galen, nothing can be more easy than to represent it. Draw a diangle, thus—

 which in its general outline, A B C D, shall represent the normal
 zoonomic life, and note especially the period of culmination, B D.
 From the point A, draw two curved lines up to the point at which
 the vital principle begins to decline, B D, and continue them up to
 the point C, representing the period of extinction. In the area of
 the polygon draw lines indicating the moment at which the vital principle
 deviated from its natural course, and unite them at the points E F.

Below the line which represents the culminating period B D, you perceive parallel lines G H I K indicating the individual culmination of premature senescence in different instances. Under this head you may reckon those who have died before the age of forty, not from any violent cause, but from some disease which the vital principle has been unable to overcome. Such were the learned Pic de la Mirandole, to whom a passionate love of study proved fatal; the gentle Raphael, whose devotion to the art of painting shortened his existence; the wise and precocious Vauvenargues, prematurely hurried to the grave at the age of thirty-two; and the delightful Mozart, whose untimely end at the early age of thirty-six might have been easily predicted.

The transverse lines above that of the normal culminating period, will call to mind those men, who, having attained this period, arrived at the close of their existence in a disproportionately short space of time; in other words, the second half of their vital career underwent curtailment. Such were Bacon, Descartes, Racine, Barthez, De Candolle, and many others, whose primitive constitution promised an equal duration of existence on either side of the culminating point, but of which the declining period was unexpectedly shortened. Here, then, we have three forms of which the zoonomic life is susceptible; one representing its natural course; the second, the variations which man often undergoes in regard to health, and in which certain compensations take place, permitting the individual (in spite of suffering and danger) to arrive at the natural term of life; and the third, in which the early period of life follows a natural course up to a certain epoch, while the remainder undergoes a declension so rapid and sudden, as to bring its terminal point on a level with the normal period of culmination. The first of these figures being that of an ordinary spindle; the second, that of a carved or scolloped spindle; the third, that of a spindle with a head; thus—


I purpose now, to submit the intellectual career of man to a similar geometric configuration, in order to ascertain what may be the outline of such an imaginary solid, as compared with those which I have just described.

In doing this, I shall confine myself to the same points which have been considered in relation to animal existence, namely, the *intensity* of action and its *progressive* career. I embrace the entire range of the intellectual principle, just as in the case of the vital force, including the respective attributes of both, and shall proceed to institute a comparison between them. I may eventually be obliged to request you to omit one of the intellectual functions, the operations of which take place frequently with the co-operation of the vital principle: I allude to the memory. During the past year I insisted strongly on the part which the vital force performs in the exercise of this faculty. You will remember how I showed that imperfections occurring in the operations of the memory, by no means imply an enfeebled condition of the intellect.

Previous to examining the career of the intellectual principle after the culminating period of the vital force, it may be useful to compare the relationship which exists between the two, during the first half of existence.

1. The first point to be noticed, is the fact that the initiatory date of intellectual capacity is not the same as that of the vital principle. This last commences its operations immediately after conception, without losing any time; every minute is registered, inasmuch as if the birth be premature; the fetus gives well-marked indication of how much was wanting to complete the full term.

It is not thus, however, with the principle of intelligence. Its activity would appear to commence but at the moment of birth. Not that there is any reason to believe that the formation of the human dynamism has been instituted at two distinct periods. The formative or vital principle, together with that of the intellect, must have started into being, simultaneously; but while the former has at once entered upon a career of activity, the latter has remained in abeyance, until the period at which the aggregate should manifest itself to the external world. We might be led to imagine that the intellectual principle remains latent and inactive, simply from not being liable to the impression of objects, capable of eliciting sensations and affording it an opportunity for the formation of ideas. Experience, however, proves that this is not the case; and that by a primordial disposition, the principle of intelligence remains as it were in seclusion, until the natural term of utero-gestation be accomplished. Should an unforeseen accident induce the premature expulsion of a viable infant, such precocious birth will profit the intellectual principle but little. The child exists much as it has already done during the seven or eight previous months in its mother's womb, unconscious of the external world, except as regards the air it breathes—lulled into a species of continued sleep—generally motionless, or moving its limbs merely by instinct. In the *Gazette Médicale de Paris*, there appeared lately an account of an infant that for the space of six weeks led an intra-uterine mode of existence, while in its swaddling-clothes and cradle. The dawn of the intellectual principle becoming manifest only at the period when natural delivery should have taken place.

In reducing, then, the *modus operandi* of the human intellectual principle to a figurative representation, it should be borne in mind, that it is not contemporaneous with that of the vital force, and that its activity begins at a later period; while its original cause has nevertheless remained in abeyance from the first.

2. It is no easy point to determine the moment at which intellectual activity commences. Its date of birth would appear to be simultaneous with the conversion of sensations into ideas, or with the first evidences of co-ordination and combination in such ideas. Even in a practical point of view, it is impossible to point out the first act of the will, and consequently the first consciousness of intellectual motive, inasmuch as the effects of instinct are for a long time confounded with those of reason. What a contrast, then, between the primary acts of the intelligence and those of the vital principle; the

former, as it were, ignorant at birth, feels its own way slowly and uncertainly. The latter requires no such apprenticeship; its first efforts are masterpieces.

3. The intellectual principle having once conceived an idea and exercised the power of thought, becomes gradually stronger and stronger. Thus the vital principle and that of the intellect mutually strengthen one another—as Lucretius says—

“ . . . Ubi robustis adolevit viribus ætas
Consilium quoque majus, et auctior est animi via.”

“Age, in strengthening the limbs, ripens the intellect, and augments the vigour of the mind.” But Lucretius here tells us only half the truth, and he has good reason for concealing the remainder. He leaves us to imagine that the two principles increase in like proportion, and this is not the case. For it so happens, that in conformity with certain primitive peculiarities, and according to different circumstances, the mode of progression varies in different individuals. If there be some in whom the two divisions of the human dynamism are alike perfect, there are far more, in whom one or other principle dominates and flourishes at the expense of its coadjutor.

AMERICAN INSTITUTIONS FOR THE INSANE.

WE subjoin an able article from the pen of a distinguished American psychologist, Dr. Pliny Earle, on the present state of the principal Asylums for the Insane in the United States of America.* It is taken from two consecutive numbers of Dr. Hay's ably conducted and excellent periodical, *The American Journal of the Medical Sciences*. The reports upon which this paper is based are so difficult to obtain in this country, that we are glad of an opportunity of placing this abstract before our readers, all of whom are much interested in the progress of medico-psychology among the enlightened members of our profession engaged in the treatment of the insane on the other side of the Atlantic.

More than two years have elapsed since we last published an abstract of the reports emanating from the various public institutions for the insane, then existing in the United States. During the intervening period, the general scheme for meliorating the condition of those who are afflicted with mental disorders, has advanced with that accelerated rapidity, imparted to it by the active and energetic labours of the preceding twenty years. Two new State institutions have gone into operation; several of those previously existing have been enlarged, and measures have been taken by the legislatures of other States, for the erection of similar establishments within the limits of their legislation, respectively. Miss Dix, whose labours in the cause are too generally known to require a recapitulation, has pursued her mission with an energy that never abates, and an assiduity that knows no interruption. The medical superin-

* “Reports of American Institutions for the Insane”:—1. Of the Maine Insane Hospital, for 1848, 1849, and 1850. 2. Of the New Hampshire Asylum, for 1849 and 1850. 3. Of the McLean Asylum, for 1849 and 1850. 4. Of the Massachusetts State Hospital, for 1849 and 1850. 5. Of the Butler Hospital, for 1849 and 1850. 6. Of the Hartford Retreat, for 1848, 1849, and 1850. 7. Of the Bloomingdale Asylum, for 1849 and 1850. 8. Of the New York State Lunatic Asylum, for 1849 and 1850. 9. Of the New York City Asylum (Blackwell's Island), for 1849 and 1850. 10. Of the New Jersey State Asylum, for 1849 and 1850. 11. Of the Pennsylvania Hospital for the Insane, for 1849 and 1850. 12. Of the Frankford Asylum, for 1848, 1849, and 1850. 13. Of the Maryland Hospital, for 1846, 1847, 1848, 1849, and 1850.

tendents of several of the institutions have been changed. No less than three of the physicians who had become the most distinguished in this speciality of the profession have deceased. The aggregate number of the insane collected into hospitals has very considerably increased; and, finally, a large amount of matter has accumulated upon our hands. We proceed to lay such portions of this as we think the most interesting or useful before our readers:—

	Men.	Women.	Total.
1. The number of patients in the Maine Insane Hospital, March 31st, 1848, was	80	47	127
Admitted during the year	60	63	123
Number of cases under treatment	140	110	250
Discharged during the year	61	62	123
Remaining March 31st, 1849	79	48	127
Of those discharged, there were recovered	11	17	28
Died	8	10	18

Causes of Death.—Dysentery, 9; phthisis, 4; apoplexy, 2; “exhaustion,” 2; partial paralysis, 1.

“About the middle of August,” says the report, “with more inmates than at any (previous) time since the house was erected, a malignant dysentery, or rather *colonitis*, began to afflict our inmates, and, soon after, several of the officers and attendants were prostrated by it. In a few weeks, about fifty cases occurred, of whom nine died. Severe and unmanageable as the disease showed itself, one death only took place in any person who had not been weakened by years of previous disease. If the disease was not *rheumatic* in its character, it certainly was followed, if not suspended, by an acute type of that malady, affecting the membranes of joints, and in one case, the joints and eyes alternately. There were but few cases of relapse. In one, however, there was a renewed attack and death, after several weeks of convalescence. * * *

“We are constrained to confess that the common remedial agents disappointed our expectations; and were the disease to repeat its visit, with the knowledge thus far acquired, we should confine our action to cleanliness, ventilation, and the administration of such quieting or stimulating remedies as nature seemed to require, to enable it to struggle through the contest. Few diseases, if any, are accompanied by more offensive emanations than the one under consideration.”

Before reading the report, we do not recollect to have met with the result of any researches in regard to the comparative curability of suicidal insanity and other forms of the disease. Hence, we regard the following extract as one of no inconsiderable interest. “Of eight hundred and sixty-eight cases which have been in this hospital, *one hundred and one* are known to have had a propensity to suicide. *Fifty-one* have recovered, which is *twelve per cent.* greater than the average recoveries on eight hundred and sixty-eight admissions. Whether this results from the disease being more easily recovered from, or in consequence of their being sooner committed, I have not the means of judging with any degree of accuracy. It is certain that some of the most perfect recoveries that ever took place here, happened to some of the most determined of this class.”

On the 1st of January, 1849, an additional edifice, forming a wing one hundred and fifty-eight feet in length, and designed for male patients, was opened for occupation. It was warmed by steam, according to the present improved method. Dr. Bates, in this report, recommends the construction of a similar wing for females, to meet the increasing applications for the admission of patients.

The report for 1849, opens with an allusion to the exemption of the inmates of the establishment from the Asiatic cholera, which prevailed in the summer of that year.

	Men.	Women.	Total.
Patients, March 31st, 1849	79	48	127
„ admitted during the year	63	63	126
Whole number of cases „ „	142	111	253
Number discharged „ „	56	53	109
„ remaining March 31st, 1850	86	58	144
Of patients discharged, there were recovered	80	28	58
Died	8	7	15

Causes of Death.—Paralysis, 4; marasmus, 4; apoplexy, 2; exhaustion, 2; phthisis, 1; phrenitis, 1; old age, 1.

The *piquancy* of the following extract is peculiarly refreshing. “Whether more or less of our patients recover than in other institutions, exactly similar in all respects, if there be such, I am unable to say. Some boast of more cures than have ever been realized here, while others, equally meritorious, so far as I know, have been so modest as to report even less than we have done. We are certain that many of our institutions possess appliances which are not, and probably never will be furnished to this; and it is not unreasonable, other things being equal, to look to them for greater success.”

As a suitable companion to the foregoing, we subjoin the doctor's remarks upon statistics. “When honestly made, they are not likely to do injury; but I am sure they are sometimes made instruments of deception. If figures cannot lie, they may mislead, by disguising the truth. For instance; suppose, at the end of each year, instead of reporting all cases as *recent*, which were actually admitted within one year of the attack, I should, for the purpose of *appearing* to cure 90 per cent. of recent cases *discharged*, report only *such as recent* cases as had not become *old* ones by remaining with us, I might impose the belief on the *uninitiated*, that 90 per cent. of recent cases could be cured; when every man acquainted with the subject knows, that no instance can be shown, in which 90 out of 100 cases, admitted in succession, no matter how *recent*, were ever cured.

“On our examination of our records, I find there remain, this day, sixty-five cases which were admitted within one year of the attack . . . 65
Seventy-nine which were more than one year . . . 79

Total 144

“But ‘as the manner of some is,’ calling none *recent*, except such as have not *now* been insane over one year, the account stands,

Recent (cases) 36
Old „ 108

Total 144

Our cases remain as first recorded.”

Few physicians have entered more into the details of the statistics of insanity than Dr. Bates, and his productions in this department carry with them the evidence of “honesty” in their compilation, while their accuracy and perspicuity are unrivalled.

The value of many of the statistics of insanity is materially deteriorated by including the whole number of *cases* rather than that of the number of *persons* admitted into the hospitals. The second and still subsequent receptions of the same individuals, form an element in the calculation too important to be overlooked. Thus, according to the report before us, the whole number of *cases* admitted into the hospital was 994, while the number of *persons* was but 807. The admissions after the first were as follows:—Second 134, third 26, fourth 14, fifth 6, sixth 3, seventh 2, eighth 2.

Of the 994 *cases*, 403 had been discharged cured, and 78 had died.

In the course of the last winter, the public were generally informed, through the medium of newspapers, of a terrible incident in the history of the Maine Insane Hospital. In their report for 1850, the trustees of that institution thus allude to the fatal accident.

"Since the last annual report, the two south wings of the hospital have been burnt. . . . This catastrophe occurred between three and four o'clock on the morning of December last (1850)—a period when all was quiet, and supposed to be secure from any casualty of this sort. The fire originated in the hot air-chamber under the old south wing, probably from some defect in the arrangement of the smoke-pipe connected with the warming apparatus, and spread with great rapidity. The flues leading from the hot air-chamber, affording a direct communication, very quickly filled the galleries with smoke, gas, and heat, incompatible with human life, rendering it more than probable that those who perished were suffocated long before the fire reached them.

"Soon as the fire was discovered, every effort was made for the rescue of the inmates; first, by opening their dormitories, and, when the smoke and gas rendered that impracticable, recourse was had to the windows on the outside of the building, by means of ladders, by which several were removed.

"The progress of the fire was checked before it reached the north wing, consequently the female patients were all safely removed.

"Twenty-seven of the inmates (patients) perished in the conflagration. One of the attendants, Mr. H. D. Jones, while nobly exerting himself to rescue the patients, shared the same fate.

"The officers, without much difficulty, succeeded in procuring good temporary accommodations for the inmates, in private dwellings, in the Augusta House, and, for some of the most furious, in the county jail, under the immediate supervision of the attendants, until they could be removed by their friends, or otherwise provided for."

Dr. Bates, in his accompanying report, says, "To those who merely speculate on such matters, it may be easy to conjecture how fire should be communicated from a funnel sixty feet from the fire-grate, when no fire had been placed in the furnace for more than nine hours; but to those (a jury of inquest) who spent ten days in the inquiry, it remained a matter of uncertainty. The stove-pipe, near where the fire was first discovered, had been put up under the steward's directions, within six weeks of the time of the fire; and, though I never examined that portion of the pipe, I had every reason to believe that it occupied the same position it did during the whole of the winter previous.

"Much has been said about the fire being set by an incendiary; some undoubtedly believe it now. It may not be improper for me to say, I have never entertained such an idea for a moment."

	Men.	Women.	Total.
Number of patients March 31st, 1850	86	58	144
" admitted in 10 months, to Jan. 31, 1851	50	40	90
Whole number	136	98	234
Discharged	104	78	182
Remaining January 31st, 1851	32	20	52
Of those discharged, there were cured	30	21	51
Died	35	4	39

Causes of Death.—"Suffocated at the burning of the hospital," 27; general paralysis, 3; marasmus, 3; "prostration, from violent mania, 2; phthisis, 1; old age, 1; chronic abdominal inflammation," 1; acute inflammation, 1.

The people of Maine are indebted to Dr. Bates for the original draft of their laws in regard to the insane, and to insanity in all its legal relations. These are, undoubtedly, as nearly perfect as any in existence. In the report before us, he makes the proposition subjoined.

"I submit, for the consideration of the legislature, the subject of a penal act, making it the duty of any person who shall know of any cruelty or abuse to an

insane person in the Insane Hospital, or elsewhere in this State, to give information thereof to a magistrate, or to the superintendent (if at the Hospital), within ——— days."

In January last, Dr. Bates, having been appointed by the Governor and Council to visit the Institutions in other States, for the purpose of learning any improvements which may be introduced when the Maine Hospital shall be re-built, resigned the place of superintendent. Dr. H. M. Harlow, the Assistant Physician, has hitherto fulfilled the duties of the position. He makes an addition to this report for the two months necessary to complete the official year.

	Men.	Women.	Total.
During this period there were admitted . . .	6	7	13
" " " discharged . . .	6	3	9
" " " cured . . .	3	1	4
" " " died . . .	2	..	2
Remaining March 31st, 1851 . . .	34	24	58

Causes of Death.—Serious apoplexy, 1; phthisis, 1,

In some remarks upon hereditary insanity, Dr. H. says, "it is, *undoubtedly*, a fact that the mother is more likely to transmit the predisposition than the father, and a good deal more likely to transmit it to daughters than to sons; while the father more frequently transmits it to the sons." These propositions are asserted with a degree of positiveness which, in the present state of knowledge upon the subject, appears to us as hardly warrantable.

In regard to the prevalence of mental disorders, he says, "we hazard the opinion that, could an accurate census be taken of the insane and idiots who are incapable of taking care of themselves, in Maine, the proportion would be found to be one in every three hundred of its inhabitants. And the same melancholy fact, we believe, would obtain in all the other New England States." We do not recollect to have seen so high an estimate of the insane and idiots in any other portion of the world, excepting, perhaps, a part or the whole of Scotland, and a district in Yorkshire, including the city of York, England.

2. "So far as statistics can furnish an inference," says Dr. McFarland, of the New Hampshire Asylum, the past year (1849) has been the most successful that the institution has known since its foundation. A number unusually large has been received, more have recovered, and the proportionate mortality has been less than in any preceding year.

	Men.	Women.	Total.
Number of patients, May 31st, 1849 . . .	52	62	114
" admitted during the year . . .	59	44	103
Whole number . . .	111	106	217
Discharged . . .	38	52	90
Died . . .	3	4	7
Remaining, June 1st, 1850 . . .	69	58	127
Of those discharged, there were cured . . .	17	28	45

The report states, that the institution has "been filled with inmates beyond its proper capacity during the whole of the official year. To remedy this inconvenience, and to meet the increasing necessities of the public, the Legislature of the State made an appropriation, in July, 1849, for the purpose of erecting an additional wing for the accommodation of fifty patients. This edifice, at the time of the report nearly finished, is one hundred and twenty-six feet long, thirty-six wide, and three stories high above the basement. It is intended for men.

We select the following passage, not only for the truths which it contains, but also for the beautiful style in which it is written.

"It has always been a striking feature in the whole subject, that every truly well constructed and well managed asylum for the insane, in this country, has always been filled with inmates. There is no such thing as *properly managing*

the insane, *as a class*, elsewhere, without a cost beyond the means of most in a community like ours. So far as kindness of treatment and safety of person are concerned, there is no doubt that the odds are decidedly in favour of collecting the insane into hospitals. Money may purchase proper attention at home; kindred and affection will never, save in extraordinary instances, render it: they are ties which, sooner or later, give way. *Incurable insanity is but the half-finished work of death.* The destroyer has swept away all save the unhumanized shape, around which affection will not for ever linger. This is a truth towards which all experience leads; and its universal recognition, among the philanthropic in both hemispheres, has created the lunatic asylum, now an indispensable part of the machinery of human society.

"It is no violation of the principles of duty and affection, that the living should seek to bury the dead from sight; neither should any false conception of the obligations owed the insane require, that those whose services society demands should remain for ever in the exhausting contemplation and the vainly attempted preservation of ruins hardly less abhorrent than those consigned to the dust, after the extinction of all vitality.

"The first and best efforts should be used to effect restoration. Failing in that, it is no small boon to avert the progress of mental decay, and throw around the unfortunate a shield from an exposure at which every sentiment of propriety and humanity revolts."

We have rarely, if ever, seen so faithful a picture of the mental and moral position of the medical officer of an establishment for the insane, as that with which this report closes. As it occupies but little space, we present it without curtailment.

"It is no trivial matter to assume the right to think and act for a body of our fellow-beings, of whose liberty we have become custodians, and whose minutest movements we may be obliged to direct. It is no irresponsible undertaking to impose restraints which, if protracted, may be injurious, or to grant liberties which, if transcended, may prove fatal. It requires no little schooling of the sensibilities to listen patiently, for the hundredth time, to the complaint which has no existence save in the disordered fancy; to parry the request that cannot be granted, and which it is painful to deny; to frame a new reply to the interrogatory that has been and will be repeated with every meeting, however often; to meet the eye, whose every glance is a volume of yet unexpressed suffering, that admits no mitigation. It needs more than human aid to keep unexhausted the fountains of sympathy, and to bear cheerfully a burthen from which night affords no relief. If to walk daily amid scenery like this is the ordinary lot of all who assume the care of the insane, under the most happy circumstances, the case puts on a new aspect, if to this be added the never yet described condition of a *crowded* lunatic asylum. There is then a painful sense of irritation read in every movement and feature of those who are seeking vainly, amid the throng, the disbursement of an overcharged brain, in solitude and silence. Suffering, as it is reflected from one countenance to another, re-creates itself, and each reduplication is clothed with new horrors."

	Men.	Women.	Total.
According to the last report of Dr. McF., the number of patients in the Asylum, May 31, 1850, was	69	58	127
Admitted during the year	44	44	88
Whole number admitted during the year	113	102	215
Discharged during the year	54	44	98
Remaining May 31, 1851	59	58	117
Of those discharged, there were cured	31	14	45
Died	2	10	12

Causes of Death.—"Insanity of advanced age," 5; epilepsy, 2; phthisis, 2; dysentery, 1; typhoid fever, 1; marasmus, 1.

The report before us is written with much ability, and is unusually interesting. As our limits deny us the pleasure of extracting all that we might wish, we must confine ourselves to such portions as appear to us of paramount importance.

"The system of lodging patients in associated dormitories, which is adopted in part (in the new building mentioned in the report for 1849), operates favourably beyond our anticipations. It is not contended that the insane, as a body, would be safe, associated with no discrimination, save of sex, in a common sleeping-room. Yet many, either from timidity on their part, or as a protection against self-injury, are more properly lodged in that manner."

The following remarks are valuable in their bearing upon medical jurisprudence.

"It is the most nice point in all the departments of philosophy, to ascertain precisely what effects a given amount of mental impairment will exhibit; or, in other words, to predicate, upon the language, actions, and other general demeanour of an individual, how unsound his intellect may be. This uncertainty obviously lies at the foundation of all the difficulty in fully establishing the legal relations of the insane. The experience gathered here shows that when we thus reason from effects to causes, *we most frequently set the amount of actual disease too low, and that events sooner or later teach us that the degree of mental unsoundness is greater than we anticipated. Instances by the score could be gathered from our case-book, to substantiate this position. Many have been fit inmates, whose appearance and address would have staggered a court of justice, if called on to decide the existence of insanity.*"

It appears that, in New Hampshire, there are no statutory enactments requiring a legal examination of the mental condition of an individual, previous to his committal to the asylum. The friends of the patient may alone assume the responsibility of thus depriving him of his liberty. The dangers of this state of things are well portrayed in the report, and illustrated by appropriate cases. The basis of a code of laws is then proposed, which would cover the whole ground of the subject, providing for a careful pre-examination of every case of alleged insanity, defining the powers of magistrates and of courts of probate and judicature, in regard to the insane, protecting the asylum, its officers, and the friends of the patients in case of committal, carefully guarding the rights of the patient, defining his responsibility in business transactions, and in civil and criminal suits, his testamentary ability, &c. &c.

In the summer of 1850, Dr. McFarland visited about twenty of the institutions for the insane in England, Scotland, France, and Italy. Some of the results of his observations are embodied in this report, from which we make the subjoined extracts.

"A visitor to the English and French hospitals is immediately struck with the great evident cost of many of them, compared with the number they are intended to receive. This is no test, however, of their excellence, which, architecturally considered, lies in their spaciousness, the altitude of their ceilings, and the strict attention paid to the details of heating and ventilation. The gloomy interior of most of the American asylums, where the light must be excluded by a mischievous and false economy, finds no parallel in Europe, save in the extremely old institutions of the North, or those of Catholic countries, where an asylum is most frequently a suppressed monastery.

"We (Americans) do not suffer in the comparison (of institutions). Indeed, there is much reason for self-gratulation. Our institutions are better organized; and, if our edifices for the reception of lunatics be not so spacious, we are already alive to their deficiencies, so that there is no obstinate adherence to exploded designs. We have no mischievous precedents, gray with age, to be annihilated. We have no evils to anticipate, like those which hang their weight upon the charities of communities, who, in a thousand other ways, are now paying the debts imposed by the usages of barbarous times.

"Insanity in America is ever presenting to us almost precisely the same aspects. In very old communities, where the lines between different grades of society have been closely drawn for ages; and where contiguous neighbourhoods, from different pursuits, have a distinct character, in no place is the difference more quickly seen than in the lunatic asylum. While the lunatic of Louisiana is almost of the same mould with him of Maine, the plodding agricultural serf of the North Riding of Yorkshire seems, when insane, a totally different being from the coal miner of Durham, or the manufacturer of the West Riding, and each neighbours of but an hour's journey removed."

3. Dr. Bell, in the report of the McLean Asylum, for 1849, says: "The cholera, in its visitation to this section of New England, held one of its strong holds just across our border line; and many of the most intense and virulent cases of this fell epidemic were in the village between us and the city. Yet we were wholly preserved; if there were premonitory indications of the effects of a malarious atmosphere among us, their actual nature was lost sight of in the facility of their yielding to medical agents."

	Men.	Women.	Total.
Number of patients at beginning of year . . .	77	84	161
Number admitted during the year . . .	77	83	160
Whole number . . .	154	167	321
Discharged . . .	59	78	137
Remaining at end of year . . .	95	89	184
Of those discharged, there were recovered . . .	26	38	64
Died . . .	9	6	15

The institution was filled to its utmost capacity for patients during the whole year.

"We have resorted," says the report, "to personal restraints only in some two or three cases, where it was believed that life could not have been preserved without a resort to such aid."

During the thirteen years that Dr. Bell has been connected with this asylum, 1857 patients have been admitted, of whom 948 have recovered, and 199 have died.

From the report for 1850, we glean the following items:—

	Men.	Women.	Total.
Patients at beginning of the year . . .	95	89	184
Patients admitted during the year . . .	80	93	173
Whole number admitted during the year . . .	175	182	357
Discharged . . .	75	82	157
Remaining at end of year . . .	100	100	200
Of those discharged, there were cured . . .	34	44	78
Died . . .	15	13	28
Patients admitted from 1837 to 1850, inclusive . . .	..	..	2030
Of whom have been cured . . .	..	..	1026
Of whom have died . . .	..	..	227

During this period, the average number of patients, annually resident, has gradually augmented from 80 to 201.

By the following extract, it will be perceived that this institution has attained an exemption from one of the most discouraging obstacles with which the physicians of such establishments are generally obliged to contend.

"What was, a dozen years since, one of the most painful and disheartening circumstances in the experience of those in charge—the capricious removal of patients at the most critical and promising stages of restoration, soon to fall back into permanent disease, is now a rare occurrence." This desirable condition of things has been effected principally by a fund contributed by the Hon. William Appleton, the proceeds of which are devoted to defraying the expenses of those patients whose pecuniary means, and those of their friends,

are such as to require this assistance. A worthy example, this, to be followed by the wealthy! Nor is this the only instance of the benevolence of the same generous donor. "The recent decision," says the report, "of our munificent friend, the Hon. William Appleton, to continue his course of liberal benefactions to our institution, by bestowing upon us the means (*twenty thousand dollars*) of establishing two distinct edifices, in the neighbourhood of the other buildings, for the accommodation of a class of patients most favoured by fortune, with arrangements more extensive, complete, and commodious than have been before known in this or perhaps any other country, will be an era in the history of the asylum."

A billiard-room, fifty feet long by twenty-five wide and fourteen high, was constructed during the past year; and heating by water, with forced ventilation, has recently been introduced into the whole establishment.

We close the notice of this report with the remarks of Dr. Bell upon the importance of well-endowed institutions.

"As the communities called to provide for the insane advance in familiarity with this duty, and in means to meet it, the fatal error of *cheap* institutions will cease to exist; an error involving not merely the negative objection of leaving the presumptive ends of hospital treatment unfulfilled, but the positive hazard of accidents, compromising not only the institution immediately concerned, but the usefulness and reputation of the whole class. It would be a happy conviction upon the minds of legislators and communities, could they be persuaded that, between no provision at all of a public kind for the insane, and a parsimonious, stinted, and inefficient imitation of a real provision, the former evil is infinitely the least. A county, or town, or state, may dignify a part or the whole of some custodial receptacle for its lunatics, with the high-sounding title of an 'Asylum;' the public and curators of the unfortunate, or even the friends and relatives, may ignorantly, or as an excusing salvo, accept such substitution as a full acquittance of their obligation; but every person who gives an hour's reflection to the matter, and compares the cost of persons in health, and of the insane under even the minimum outlay for mere custody, to say nothing of amelioration and cure, cannot but see the impossibility of doing justice to the insane on a cheap plan."

4. The report of the Massachusetts State Lunatic Hospital, for 1849, says: "The hospital has been more crowded the past year than ever before. The extent of its accommodation does not exceed what three hundred and seventy-five requires. At no time has there been less than four hundred and five patients. The greatest number was four hundred and forty. The average for the year about four hundred and twenty."

	Men.	Women.	Total.
Patients at beginning of the year . . .	217	192	409
Patients admitted in course of the year . . .	134	189	273
Whole number admitted in course of the year . . .	351	381	682
Discharged in course of the year . . .	131	122	253
Remaining at the end of the year . . .	220	209	429
Of those discharged, there were cured . . .	70	68	138
Died . . .	19	18	87

"The diseases usually prevalent in the warm season," writes Dr. Chandler, "prevailed to some extent among our patients and their attendants. Diarrhœa, dysentery, fever, and a few cases of the graver forms of cholera morbus, and cholera, with all its characteristic features, occurred among our household in the month of August. By strict and immediate attention to the first indications of diarrhœa and the forming stage, only eleven cases, all of which were among the male patients and their attendants, took on the more severe and unmanageable symptoms of cholera. Four died very suddenly of this mysterious scourge. Three of them had become debilitated by long and incurable disease,

and the fourth, although he was fleshy and laboured much in the open air, was in the habit of drinking enormous quantities of cold water. All through the summer, we took the precaution to place fires in all the furnaces whenever the weather was cool or damp.

"It is somewhat remarkable that the inmates of this hospital should be almost entirely free from all bowel complaints until about the first of August; that these diseases should then commence and become more and more prevalent and more fatal up to the third of September, and that they then should suddenly cease as an epidemic. Since that time we have been happily relieved of any great amount of sickness among our patients; but there have been several cases of typhoid fever among the attendants.

"On the 19th of March, one of our attendants became sick with the measles. Three successive crops of this disease succeeded. Thirteen attendants, eight patients, and my two daughters had it. The last of the fourth crop became sick on the 30th of April following. It was noticed that the attendants—those who were supposed to be in better health than the patients, and who were capable of taking more rational care of themselves, had the disease, almost uniformly, in a more severe form, and apparently suffered more from it than the patients. In the forming stage of the disease, the patients lived in a more uniform temperature, and were less exposed to the vicissitudes of the season than the attendants."

Cases of mental improvement, caused by attacks of insanity, have heretofore been recorded by several writers. Dr. Chandler says: "I have known a few individuals who were brought here insane, and who recovered to become better citizens than they were before. Their minds and feelings acquired strength and soundness by the disease and by undergoing the process of cure, as some musical instruments are said to be improved by being broken and repaired again.

	Men.	Women.	Total.
By the report for 1850, it appears that the number of patients remaining December 1st, 1849, was	220	209	429
Admitted during the year	129	112	241
Whole number	349	321	670
Discharged	120	109	229
Remaining November 30th, 1850	228	213	441
Of those discharged, there were cured	60	65	125
Died	29	28	57
The whole number admitted from 1833 to 1850, inclusive, a period of 18 years, is	1818	1780	3598
Of whom have been discharged, recovered	818	876	1694
Died	199	167	366

Causes of Death.—Marasmus, 61; apoplexy and palsy, 43; consumption, 39; epilepsy, 38; disease of heart, 18; suicide, 17; disease of brain, 17; typhus fever, 10; lung fever, 12; hemorrhage, 5; dysenteric fever, 8; cholera morbus, 4; inflammation of the bowels, 4; mortification of limbs, 3; dropsy, 6; chronic dysentery, 4; erysipelas, 12; diarrhœa, 16; diseases of brain from intemperance, 2; bronchitis, 3; old age, 5; gastric fever, 4; land scurvy, 1; congestive fever, 2; concussion of brain, 1; disease of bladder, 1; fright, 1; rupture, 1; exhaustion, 19; convulsions, 2; cholera, 4; asthma, 1; hydrothorax, 1; cancer, 1.

The report says, that, during the last year, "we have had nothing like an epidemic, unless about twenty-five cases of erysipelas, which occurred in the spring, may be so called. These cases made their appearance from the last of February to the first of June in a majority of the wards, without being in any instance contagious. No cause can be assigned with any certainty for their breaking out then more than at any other time. The inflammation was, in a majority of cases, confined to the head and face, and when the disease extended

to the body it was apt to be fatal." Five patients and one female assistant died of it. "It was noticed that those patients who occupied rooms nearest our hot-air furnace, and were consequently the warmest, were most liable to its attack."

Epilepsy "is very often one of the prominent symptoms (attendants?) of insanity brought on by habitual intemperance; and where it is so, fatal results follow in a short time."

The table subjoined exhibits some not unimportant facts in relation to twenty-eight epileptic patients who have died in this hospital.

	Average insanity before admission.	Average residence in hospital.	Average age at death.
28 men	86 montha.	18½ montha.	42 years.
5 women	60 „	14 „	38 „

"The number of males afflicted with epilepsy in this hospital is greater than that of females. The males died at the most advanced age, but they may have been, and probably were, attacked with epilepsy later in life than the females.

"The accession of the fits of epilepsy are very irregular as to time and severity in different persons. Some have one or two fits every day or two. Some have ten or twenty in quick succession, and are much disturbed in mind for several days, to be followed by an interval of some weeks or months of freedom from fits, and by serenity of mind. Some are seized only while asleep, and others only while awake. In some, the fits amount only to slight dizziness which hardly takes away consciousness. In others, all the senses are locked up for the time, and the physical system is racked with convulsions horrid to behold. As a general thing, these persons are unconscious at the time of the fit, and, after apparently suffering the most frightful tortures, wake up and inquire of those around them what has happened. A very few have a short warning of the coming on of a fit, but generally they know nothing of it except as they are told by others. Most epileptics enjoy the pleasing delusion, that their fits are constantly becoming lighter and more unfrequent.

"The management of them should be kind and conciliating. About the time of having fits they are irritable, jealous, and easily provoked to violent actions. They will not be driven, but must be flattered. They should have exercise, but should never get fatigued. Their diet should be sparing, but nutritious. They should never overload the stomach or become surfeited.

"But little can be done in the way of medical treatment. In slight cases, stramonium, nitrate of silver, and sugar of lead have some reputation. In a few cases, *unconnected with insanity*, a mitigation and a cure even have followed their protracted use."

Heating by steam has been introduced into a part of the establishment, and lighting by gas into the female department.

The average number of patients, during the last year, was 440.

5. From the second annual report of the Butler Hospital for the Insane, at Providence, R. I., we learn that the number of patients at that institution:—

	Men.	Women.	Total.
January 1st, 1849, was	56	44	100
Admitted in the course of the year	42	51	93
Whole number admitted in the course of the year	98	95	193
Discharged in the course of the year	47	39	86
Remaining, December 31st, 1849	50	57	107
Of those discharged, there were cured	24	11	35
Died	11	9	20

Causes of Death.—Dysentery, 4; acute mania, 4; chronic mania, 7; epilepsy, 1; disease of heart, 1; abscess, 1; intestinal perforation, 1; pulmonary disease, 1.

"I need hardly say," remarks Dr. Ray, "that a general summary of results like this conveys but a very inadequate idea, to most persons, of the amount of good accomplished in a single year, by a hospital for the insane. To how few can the simple statement that so many have recovered, give any idea of the peculiar joy experienced by those who have seen the cloud of disease lifted from their spirits, and the undimmed light of reason shining serenely out upon their mental horizon! The hours of mental torture that have been soothed, the crushing burden of distrust and apprehension that has been lightened, the joy of those—the husband, father, child—who welcome the return of the loved one as from the grave; the relief of that desperate agony, which day after day has been aggravated by the appalling sights and sounds that often crowd upon the shattered mind, the restoration to the domestic circle of peace, order, and quiet, that has followed the withdrawal of some uneasy spirit, whom none of the arts of kindness could please or soften—these are benefits that cannot be estimated by figures, though not among the least conferred upon a community by establishments like ours. Neither are words more adequate to the purpose, because those benefits lie too far beyond the range of ordinary experience to be conceived of by any who have not personally seen and felt them.

"It will be noticed that four of the deaths were produced by dysentery. In this, as in many other parts of the country, cholera was immediately succeeded by dysentery, which prevailed with a degree of severity not experienced for many years. The former we fortunately escaped altogether. From the latter, however, no advantages of diet, ventilation, or cleanliness could entirely save us, although they probably rendered the disease of a milder character than it presented in the neighbourhood. The whole number of cases was nearly forty, besides several among our attendants and domestics."

Dr. Ray remarks that he believes the proportion of foreigners among his patients is much larger than it is in the same population, that they are less curable than Americans, and that this fact has been observed in other institutions. He alludes to the difficulties in treating them, and appears to approve of the construction of hospitals specially intended for them. He thinks the difficulties in treating them arise, at least in some measure, from the "inability to approach them in a proper way." We infer from his remarks, that he would have the officers of the special hospitals referred to foreigners also, or at least, more intimately acquainted with the language, idioms, modes of expression, manners, customs, and religious faith of the patients. We have no doubt that great advantages would result from such an arrangement, but the obstacles in the way to its attainment are various and great.

	Men.	Women.	Total.
According to the report for 1850, the number of patients at the beginning of the year was	51	56	107
Admitted during the year	38	35	73
Whole number	89	91	180
Discharged	38	29	67
Remaining, December 31st, 1850	50	63	113
Of those discharged, there were cured	12	7	19
Died	7	9	16

Causes of Death.—Acute mania, 4; chronic mania, 4; meningitis, 3; "Bell's disease," (typhoid mania?) 1; consumption, 1; epilepsy, 1; disease of heart, 1; general paralysis, 1.

"Many of those who died had gradually approached the extreme limit of life, and ceased to exist less in consequence of any particular organic lesion, than that *gradual consumption of the vital forces which results from chronic insanity*. This disease conducts its victims to the tomb by a series of changes, as secondary and subordinate to that of the brain as the colliquative diarrhoea that closes a case of consumption; and, *in the latter instance, to say that the patient dies of diarrhoea would convey as false a representation of the fact,*

as to say, of many of those who die insane, that their death is caused by diarrhæa, or marasmus, or exhaustion, because one or the other of these disorders happened to be the last obvious member of a series of morbid changes, the first, most efficient and characteristic of which had its seat in the brain."

In Rhode Island, as in New Hampshire, there are no sufficient laws authorizing the commitment of the insane to public hospitals. Dr. Ray thus writes upon the subject:—

"Our appropriate duties are performed rather by sufferance of public sentiment than any sanction of law, and thus we constantly lie at the mercy of excited passion and prejudice. The actual practice is, for those who stand in the nearest relation to the insane person, to place him in charge of an institution, and give the necessary obligations for his support. No one, certainly, can deny that this is right and proper, and in many cases it meets every practical requisite. The person is correctly considered insane, and he quietly submits to the measure. On recovery, he recognises its propriety and gives it his grateful approval. But in cases of a doubtful character, there should be a provision for some authoritative judgment, and especially in that class of cases where the person regards not only the deprivation of his liberty as the grossest outrage upon his rights, but is in a position, sooner or later, to seek redress for his fancied injuries. The probability of being involved in litigation would often induce one to forbear to interfere, even while every other consideration called for his interference. At any rate, the law, whatever it is, should be clearly defined, and should meet the difficulties experienced in the exceptional cases. The common law sanctions no confinement of the insane, except on the score of their safety, or that of society; and our statutes are silent upon the subject. For any other purpose, the measure is at the peril of those who seek it. True, it seems almost incredible that people should be punished for doing what common sense and common humanity prompted them to do; but it has happened, and may happen again, that an insane person believing, or affecting to believe, that his confinement was grossly unjust, though it resulted in his partial recovery, has resorted to the law for redress; and, by setting up false issues, and making artful appeals to the popular sympathies, has succeeded in convincing a jury that he was a much injured man, and obtained from them a verdict of vindictive damages."

The report contains some very reasonable remarks upon the very unreasonable requirements of many people, in regard to the treatment of their friends by the officers and their assistants in public institutions. After mentioning the safeguards which are thrown around the patient, it continues: "In these facts will be found a guaranty against improper practices, and, upon a broad estimate of the ordinary rules of action that govern men, it would seem to be a sufficient one. But it would be as idle to suppose that, in some mysterious way, the moment people are entrusted with the charge of the insane, they become transformed from men and women into angels; as that, on the other hand, they should systematically pursue a course opposed by every influence around them. There are exceptions to all general rules; imperfection and short-coming are incident to everything human; and if, occasionally, an attendant should so far forget or disregard his obligations as to utter a harsh word, or use unnecessary force, no sensible man would consider the fact as enough to outweigh the numberless benefits conferred by these institutions. To expect that a young person, without any extraordinary moral endowments, or any special preparation for the duty, *can bear, day after day, and hour after hour, week in and week out, the incessant and systematic efforts of one whose power for mischief is only heightened by disease, to tease and irritate him, and never lose his patience, is to expect a phenomenon not often witnessed in any other department of life.*"

We once knew of the reception into an asylum of a woman whose relatives would consider ~~the~~ *the* insinuation that they were not *respectable* as an unwarrantable insult. Her sister was very particular in requesting that she might be

treated with all possible kindness, tenderness, and consideration. In her subsequent visits to the institution she was never weary in the endeavour to ascertain whether this humane course was ever departed from. In a few months the patient, appearing to be incurable, was removed, at the request of this sister, who now assumed the care of her. Forty-eight hours had not elapsed, after the removal, before the two had a regular *set-to*, which would have honoured the combatants of the ring, with such fisticuffing, scratching, and pulling of hair as is not to be seen every day in well-regulated and affectionate families.

6. The principal statistics of the Hartford Retreat for the Insane, for the year ending March 31st, 1849, are as follows:—

	Men.	Women.	Total.
Patients at the beginning of the year . . .	59	63	122
„ admitted in course of the year . . .	49	84	133
Whole number „ „ . . .	108	147	255
Discharged „ „ . . .	47	75	122
Remaining at end of the year . . .	61	72	133
Of those discharged, there were cured . . .	20	50	70
Died . . .	7	5	12
Daily average number for the year . . .	..	..	141

Causes of Death.—General debility, 3; marasmus, 2; exhaustion, 2; phthisis, 1; “disease of brain,” 1; “disease of lungs,” 1; erysipelas, 1; suicide, 1.

Dr. Butler relates the following case in this report; “A. B. of C. was brought into the institution in 184—. The following is the history of the case, as given by the intelligent gentleman who brought him to the Retreat. B. is 36 years of age, and has been insane twenty years. When young, he was considered, in point of intellect, quite equal to most boys of his age, and was fond of reading and of mathematical studies. From some unknown cause he became a violent maniac, destroying everything in his way, and dangerous. The family became afraid of him, and chained him in a room or pen, partitioned off from the stable, in the barn. He would tear his clothes and any bed-clothing provided for him, so that he would often be entirely naked, the coldest nights in winter, without appearing to suffer by exposure. His usual dress was nothing more than a coarse flannel frock, and without anything for a bed but loose straw. He remained in this state for years, when his father, becoming poor, called upon the town for help. The select-men went and found the man as described, and consulted with the father as to what should be done. Their conclusion was, that, if the father had kept him in a barn, it would not be improper for the keeper of the paupers to do the same.

“Accordingly, he was removed from place to place, as the paupers were changed, and kept as his father had kept him. He was generally fed as we feed swine, had nothing but his hands to feed himself with, and, as all his filth remained in his stable for many days, it was a *fearful job to attempt to clear it out*, as the saying was. He was in an out-building, and without fire, for the twelve or fifteen years that he was supported by the town. He was in a sitting posture so long that the cords of the legs contracted, so that his knees are drawn up to his breast, while his legs are drawn close to his body. He is entirely negligent of the calls of nature.

“He is now,” continues the report, “in the Retreat, demented; is always cheerful and docile, takes his meals regularly, and is cleanly in his habits and person. His lower limbs are closely contracted upon his body, and he accomplishes locomotion, with a good deal of agility, by placing his hands on the floor and swinging his body along.”

From the report for 1849, we glean the following items:—

	Men.	Women.	Total.
Patients at the beginning of the year	61	72	133
Admitted in course of the year	60	75	135
Whole number	121	147	268
Discharged	48	77	125
Remaining April 1st, 1850	73	70	143
Of those discharged, there were cured	17	47	64
Died	17	13	30
Daily average number for the year . . . . .	..	..	143

"The number of recoveries is larger than that of any previous year excepting the last, and this number would have been increased by the addition of several cases from among those reported as more or less improved, but for their ill-advised and premature removal from the institution.

"During the months of August and September," says the report, "we were visited by the same malarious influence which pervaded the valley of the Connecticut, as well as most other sections of our country. Though spared by a merciful Providence, from the ravages of the cholera (not a case of which has ever occurred in the institution), we had a large number of cases of diarrhoea and dysentery. The former yielded readily to treatment in nearly every case, and was fatal in none; while the latter appeared in a very severe and malignant form, and was very difficult to control. It proved fatal in the cases of eight patients and one attendant. The whole number of cases among the patients was forty-seven; twenty-two females, of whom four died, and twenty-five males, of whom four, also, died. Among the attendants there were eight cases, of whom one died.

"At different times during the year or two past, an epidemic erysipelas has prevailed in this city and vicinity, in a form of unusual severity. With a single exception, in the month of July last, no cases have occurred in the Retreat until last January, during which, and the two following months, we had twelve cases, of whom six died. *All* of these were old and incurable cases, and, with a single exception, were the most infirm and debilitated patients in the institution.

"In addition to the preceding deaths from epidemic diseases, there have been fifteen others (about the usual proportion of preceding years), from the following diseases: two of consumption; three of general debility; two of general paralysis; and one, each, of apoplexy, old age, paralysis, marasmus, disease of the heart, chronic diarrhoea, and dropsy; and one of exhaustion, an acute case complicated with febrile disease, and aggravated by the fatigue of travelling—an unfit case for the institution."

	Men.	Women.	Total.
According to the report for 1850, the number of patients at the beginning of the year was	73	70	143
Admitted in the course of the year	56	72	128
Whole number	129	142	271
Discharged	57	57	114
Remaining April 1st, 1851	72	85	157
Of those discharged, there were recovered	25	34	59
Died	9	6	15
Daily average number for the year . . . . .	..	..	151
Seven years ago, the same average was . . . . .	..	..	84

During that period, the annual admissions have increased from 80 to 128.

Causes of Death.—Dysentery, 4; exhaustion, 3; general debility, 2; apoplexy, 1; epilepsy, 1; old age, 1; suicide, 1; general paralysis, 1; erysipelas, 1.

"Twenty-six of our patients were removed from the Retreat during the year, in different stages of improvement. Some of them were slowly but surely recovering." In a general allusion to discharges of this kind, the report says:

"The history of some of these premature and ill-advised removals is very

sad. Many have relapsed into an incurable state, while others remain half-crazed, or nervous invalids, and will probably remain so for life."

Much of the increase in the number of patients, during the last seven years, is stated to have been the result of an appropriation, by the State, for the support, at this institution, of such lunatics as are unable to bear the expense. This fund was 2000 dols. in 1842, but was increased to 5000 dols. in 1843, at which sum it is still continued.

For many years past, the Rev. T. H. Gallaudet, one of the purest philanthropists of the age, has been connected, as chaplain, with the Hartford Retreat. With intellectual powers far above mediocrity, a heart overflowing with kindness, and a spirit ever rejoicing in whatever may contribute to the improvement of the physical or moral condition of any portion of his fellow-men, he was adapted, in a degree almost without parallel, for the situation whose duties he so honourably, faithfully, and usefully fulfilled.

The annual report of the physician to this institution has generally been accompanied by one from Mr. Gallaudet. That which is before us is his last—for since its publication, the institution and the public have suffered the necessary loss resulting from his death. The following extracts from this report is worthy of attention.

"In appreciating the benefits of institutions for the insane, regard is too much had simply to the cure or relief which they afford; and their utility is too often measured only by the amount of good thus effected. This is, indeed, their great object; and if this alone is considered, they have claims upon public bounty and private benevolence, than which none can be greater among the various forms of suffering humanity.

"But the many *collateral* advantages of such institutions are apt to be overlooked. If conducted by wise and observing individuals, they furnish the means of shedding clearer light upon questions of deep and general interest connected with the philosophy of mind, and the reciprocal influence which the mind and the body have upon each other—the elements of moral science—the education and training of children and youth, both in families and schools—the laws of hereditary physiology—the preservation of health and reason—prison discipline—criminal jurisprudence—and the precautionary measures to be pursued, to guard against many of the ills of the flesh and of the spirit—and then, of diffusing this light for the benefit of the whole human family.

"Such institutions ought to feel their responsibility in these respects, and be so conducted as to meet this responsibility. The light which they get should not be hid under a bushel. They occupy a position which can fit them to take rank among the greatest benefactors of mankind. The ill which they can be instrumental in *preventing*, outnumber and *outweigh*, thousands of times, those which, having already taken place, they are privileged to mitigate or remove.

"My mind has been turned to this subject from noticing, after thirteen years' experience as chaplain of the Retreat, what a *school of practical wisdom* it may be, and often is, not only to those who are placed for a time under its care, but also to the relatives and friends. They learn much of themselves, and not a little, in this respect, which they never knew before, much from their companions in misfortune, and much which they could never get from books or the common intercourse of society.

"They get new and more correct views of human nature; of what they should live for, and of the means of preserving a sound mind in a sound body, without which the great ends of life can be but very imperfectly, if at all, accomplished."

7. The Report of the Bloomingdale Asylum for the Insane, for 1849, is the first issued by Dr. Charles H. Nichols, who succeeded Dr. Earl, as physician to the asylum, in the spring of the year mentioned.

	Men.	Women.	Total.
The number of patients Dec. 31st, 1848, was . . .	59	60	119
Admitted in the course of the year . . .	58	87	95
Whole number " " " . . .	117	97	214
Discharged " " " . . .	54	36	90
Died " " " . . .	13	8	21
Remaining December 31st, 1849 . . .	50	53	103
Of those discharged, there were recovered . . .	26	18	44

Causes of Death.—Pulmonary consumption, 4; "typho-maniacal delirium," 2; "apoplectic symptoms, occasioned apparently by a sudden increase of old serous effusions into the inner-cranial cavities," 4; "gradual exhaustion preceded by dysentery," 3; gradual exhaustion attended with diarrhœa, 4; suicide, 2; cancer, 1; delirium tremens, 1.

"In the fact, that among at least fifty persons with constitutions in a state of general decay, and offering but little resistance to epidemic agents, *no case of cholera occurred*, and but few cases of dysentery, though the former disease prevailed to some extent, and the latter very generally in the neighbourhood, is abundant evidence, if any were needed, of the salubrity of the site of the asylum."

Seven of the recoveries were cases of *inebriety*. "In nearly every case of intemperance received here," says the report, "the habit has existed, either continuously or periodically, for many years; and the individual has suffered numerous attacks of delirium tremens, or other sickness arising from drink; and every means but prolonged restraint has been exhausted to induce him to forsake the path to destruction in which he has so far advanced, but in vain; and at last delirium and stolidity are the only varieties of mental condition known to his experience, and he is totally unable to protect his interests or his person."

"The habit of intemperance is usually entered upon with the consent of a free will, and generally deserves to be treated as a vice; but my observations are confirmatory of the belief of Esquirol, Ray, and others, that in the case just described, a pathological state of the brain has been gradually induced, to which the will is wholly or in part subject; and I think physicians and magistrates need not scruple to grant the lunacy warrant, which we require in every description of case received here."

The following remarks upon moral treatment are very correct; but the grand *practical* difficulty is, to find amusements in which all the patients, or even a very considerable number of them, can join "as equals, if not principals."

"It has struck me that there is a material difference in value of what may be termed, in reference to the individual under care, the *active* and the *passive* modes of *moral* treatment. An amusement, a lecture, or a religious exercise which a patient witnesses merely, will often attract his attention, and thus, in a greater or less degree, suspend those morbid modes of mental action it is our object to eradicate; but if he himself takes an active part in the exercise going forward, his interest is enlisted on more self-respecting, not to say ambitious grounds, and is therefore more awakening and absorbing; and, as he has become an actor in a scene which suffers more or less interruption when he ceases to perform his part, the healthy mental effort is necessarily deeper, less divided, and more confirmatory of itself. In devising amusements for our patients, therefore, I have given preference to those in which they could participate as equals, if not principals. As, for digestion, it is better to walk than to ride; to saw wood than to see it burn; so, for the substitution of sound for deranged cerebral action, it is better that the patient should himself execute even poor music than hear the best executed by another; that he should constitute eighth of a cotillon than be the mere spectator of a score; that he should read aloud to others than that he should be trusted to listen."

	Men.	Women.	Total.
The report for 1850 states that the number of patients in the Asylum Dec. 31st, 1849, was . . .	50	53	103
Admitted in course of the year	51	46	97
Whole number	101	99	200
Discharged	39	33	72
Died	12	6	18
Remaining December 31st, 1850	50	60	110
Of those discharged, there were cured	28	22	50

Of the cures, 10 were cases of uncontrollable inebriety.

Causes of Death.—*Paralysie générale*, 4; chronic melancholia, 4; epilepsy, 3; chronic mania, 2; anasarca, 1; phthisis, 1; ascites, 1; hemiplegia, 1; suicide, 1.

"We have had no epidemic and no acute disease, or, at least, none that proved fatal in its first stages. In those instances where a more specific cause is not assigned, death was the inevitable and awaited final issue of a gradual deterioration of the organism, consequent upon long-continued derangement and deficiency of innervation."

Our extracts from this report will be limited to a single additional one, corrective of an opinion very generally entertained among the people.

"It is often queried, whether the separation of insane persons with sensitive minds from the family circle and endearments, and their commitment to the care of strangers, will not be attended with a sort of shock to the nervous system, and thus greatly aggravate the mental distress and aberration, and whether it be suitable that a number of such persons should be associated in a greater or less degree; but I believe it to be the uniform opinion of those experienced in this speciality of the medical profession, that the injurious effects of removal to an asylum, sometimes apprehended, never occur; and that the association of the insane, if there be a proper classification, very often essentially promotes recovery, and is attended with no objections whatever. No points in the management of nervo-mental diseases are better settled than these, and, if necessary, are capable of copious and very conclusive illustration."

8. Dr. Brigham, the late distinguished superintendent of the New York State Asylum, died in the summer of 1849, and his place, during the remainder of the year, was filled by his principal assistant, Dr. George Cook, by whom the report before us was written.

	Men.	Women.	Total.
Patients at the beginning of the year	241	254	495
Admitted in the course of the year	192	170	362
Whole number	433	424	857
Discharged	207	201	408
Remaining at the end of the year	226	223	449
Of those discharged, there were cured	113	90	203
Died	35	34	69

"During the past summer," says the report, "while the epidemic cholera pervaded a large portion of our country, we, through the kindness of an overruling Providence, were spared from its ravages; and, with the exception of some cases of dysentery, in the months of August and September, the general health of our patients was good. But in the month of December last (1848), the asylum was visited by the smallpox, which continued to prevail amongst us for several weeks, and in a number of cases proved fatal. No person who came here had the disease at the time of admission, or, as far as we could learn, had come from a section of the country where it was prevalent. It made its appearance in the female division of the asylum, and the first case occurred in a patient who had been here about seven months." The first, second, third, and fourth cases were very mild; the fifth, in a patient who had

been at the asylum several months, confluent and severe. When attacked, the patients were removed to the infirmary.

"Of four hundred and ninety patients who were in the house at the time, and who were more or less exposed, forty-eight took the disease; viz., twelve men and thirty-six women. Thirty-three had it in a mild form; of these, six were men and twenty-seven women. Fifteen had the confluent form, of whom six were men and nine women. Fourteen died in the course of the disease, or soon after its termination; viz., five men and nine women, of whom eleven died of the disease, and in the other three, death was only perhaps a little hastened by it." Besides the above, eight attendants had the disease, two of whom died.

The remaining fifty-five deaths were caused as follows: Dysentery, 14; meningitis, 7; consumption, 6; exhaustion following excitement, 5; general paralysis, 4; epilepsy, 3; marasmus, 2; diarrhœa, 2; pneumonitis, 2; ascites, 1; hydrothorax, 1; suicide, 1; puerperal fever, 1; "disease of spinal cord," 1; erysipelas, 1; apoplexy, 1; "serous diarrhœa," 1; old age, 1; "peritoneal inflammation from perforation of the intestines," 1.

The general system of moral treatment introduced by Dr. Brigham is still pursued. The tailor's shop appears to be no unimportant item in this system, as the report contains a list of no less than *four thousand six hundred and four* garments and articles of household furniture made in it during the year.

The officers of this institution have for several years taken particular pains to ascertain the number of suicides that occur within the State of New York. They think that "nearly all" are included in their tables, the totals of which are—for 1845, *seventy-four*; 1846, *sixty-four*; 1847, *one hundred and six*; 1848, *eighty-eight*; and for 1849, *sixty-two*.

The report for 1850 is the first issued by Dr. N. D. Benedict, the successor of Dr. Brigham. It is elaborate, and ably written.

	Men.	Women.	Total.
Patients at the beginning of the year	226	223	449
Admitted in the course of the year	185	182	367
Whole number	411	405	816
Discharged	209	178	387
Remaining at the end of the year	202	227	429
Of those discharged, there were cured	94	77	171
Died	34	17	51

Causes of death.—Chronic mania, 12; acute mania, 2; dysentery, 13; general paralysis, 3; erysipelas, 4; pleuritis, 2; phthisis pulmonalis, 2; diarrhœa, 2; operation for strangulated hernia, acute gastritis, typhus fever, acute dementia, aneurism of aorta, phagedæna, ascites, metro-peritonitis, strangulation, suicide, 1 each.

Of the deaths from chronic mania the report says: "These cases presented no evidences of organic disease; no inflammation, or results of inflammation, in any tissue or organ. For months before their dissolution the capillary circulation became extremely feeble, the secretions imperfect, the elaboration and appropriation of food defective, and consequent emaciation ensued. The whole train of morbid phenomena being referable to insanity, it seems proper to report them as dying of mania rather than of marasmus." We suspect, however, that such cases are, in most asylums, reported as deaths from marasmus.

"Thirteen died of dysentery, though it was at no time epidemic in the institution. We include, under this head, a form of disease very unlike dysentery of private practice and of general hospitals, but which we believe is very common in asylums, and which we do not recollect to have seen called by any other name. It occurs in chronic cases, whose powers of life have long been gradually sinking, and in recent cases, who have become much exhausted by protracted excitement. With premonitory symptoms, or exposure to known exciting

causes, the patient is suddenly seized, and generally in the night, with bloody discharges, scanty and gelatinous, or, more frequently, copious and serous, with no heat of skin or abdomen, nor pain or thirst, or loss of appetite or strength. Death supervenes a few days after the attack. We have perceived but little benefits from remedies in this form of disease, the treatment for ordinary dysentery proving entirely nugatory."

There were twenty-three cases of erysipelas in the course of the year, mostly in the cold months, when the air of the halls was the most impure. "It is said of one of the New England hospitals, before infested with erysipelas, that after the introduction of a system of forced ventilation, this formidable disease entirely disappeared."

One of the cures reported was that of a man who had been insane upwards of six years, had been several years in the asylum, and long considered as demented and incurable. "He would stand for hours in strange postures, apparently without thought or feeling. Gradually he began to take notice of things around him, and to exercise. He resumed his trade, that of a tailor, and at length acquired his former dexterity and skill." This case furnishes another proof, not only of the importance of perseverance in the treatment of the insane, but also of the singularity of this wonderful and mysterious disease. By "perseverance in treatment" we mean the keeping of the chronic insane at institutions where the circumstances of their position furnish the greatest aid to a spontaneous or natural cure; for we presume that, in this case, medical treatment had long been abandoned. The case reminds us of one which once came under our observation. A lunatic had been under curative treatment until the hope of restoration was relinquished. He was pronounced incurable; a commission of lunacy was immediately appointed, his case legally investigated, and he was put under guardianship. *Within three weeks from that time he was perfectly well, and soon returned to his employment as clerk in a large mercantile establishment.*

In the treatment of acute mania, with violence, raving, and consequent exhaustion, Dr. B. employs seclusion, hot baths with cold applications to the head, and free evacuation of the bowels. "*In no case,*" says he, "*have we found local or general bleedings admissible; but, on the contrary, nutritious diet and brandy-punch are generally demanded.*"

The physician by force, in Molière's "*Médecin Malgré Lui*," speaks of the stomach as being situated upon the right side, and the liver upon the left. An interlocutor seems puzzled by this asserted position of the viscera, and mentions his impression that the stomach is on the left side and the liver on the right. Hereupon the physician by force acknowledges that, *formerly*, such was their position, but very sagely adds, "*nous autres médecins, nous avons changé tout cela.*" With much more truth may it be asserted, in regard to the treatment of acute mania, as recommended by Rush, and as generally practised in this country until within a comparatively few years, "*nous avons changé tout cela.*" This change has taken place, not at the Utica Asylum alone, but at all, or nearly all, the institutions for the insane in the United States.

"Of moral, or perhaps more correctly, *immoral* insanity," says the report, "nine cases have been under our care, two of whom have been admitted within the last year. These cases present the various forms of derangement, from the mere rascally little sinner (two were lads) up to the most aggravated form of the genuine disease. We have an idea that a remedy, not much known to modern science, but in vogue in the days of Solomon, commenced early and faithfully persevered with, would have been eminently successful in preventing the development of the disease, or, at least, arrested its progress before its full establishment. One of our patients is the exact counterpart, if not the identical fellow seen by Mr. George Combe, in the Dublin Lunatic Asylum, who exhibits a total want of moral feeling and principle, yet possesses intelligence, ingenuity, and plausibility. He has been a scourge to his family from childhood; was sent to the army to get rid of him, from which he was turned

out as an incorrigible villain, always fighting and getting drunk, for which he was repeatedly flogged. By seclusion, he becomes so savage as to render the task of entering his room and supplying his wants by no means enviable; and when at large, he often assaults those around him. His chief employments are eating and fighting; and although he is constantly endeavouring to '*get out of these barracks,*' he seems to have no particular object in view but the more free indulgence of these propensities. In all but this one case, moral treatment alone has accomplished our object; but on him little moral influence can be exerted. By the aid of nauseating remedies, and purgatives frequently administered, we are enabled, in some degree, to control him. Blisters and setons to the back of his neck are now being tried."

The physicians to insane hospitals generally acknowledge their tables of the "causes of insanity" to be comparatively valueless. That they are so, we have a striking proof in the report before us. Of the *two thousand three hundred and seventy-six* patients admitted previously to 1849, only *nineteen*, or *four-fifths of one per cent.* are reported as having originated from masturbation; while of *three hundred and sixty-seven*, received in the course of the year mentioned, *fifty-three*, or more than *fourteen per cent.*, are attributed to that cause. Now, no reasonable man can believe that both of these statistical items can be true. Whence is the error? In the fact, undoubtedly, that they were reported, the former by one physician and the latter by another;—by two men, who, although they may have been equal in talent, learning, and skill, may have *favoured different theories*; or the one may have been somewhat more thorough in his investigations than the other.

"Frequently," writes Dr. B., "the patient himself can give the most satisfactory cause of his insanity, and often the very opposite to that attributed by his friends. This is especially true of masturbators, whose insanity is looked upon by friends as caused by 'religious anxiety,' because the first evidence of it noticed was an extraordinary anxiety about their salvation; an inordinate fear of future punishment; or abandoning all occupation but that of reading; or holding a Bible as if reading; or praying; or mumbling incoherent sentences, in an attitude of prayer, at improper times and places; or 'trying to tell his experience' in a religious meeting; or joining in and going to great lengths in the excitement of protracted religious meetings, or in such like acts. Another class, frequently placed under the head of 'religious anxiety,' are religious monomaniacs, whose insanity is undoubtedly referable to dyspepsia, habitual indigestion, and constipation, and the injudicious use of remedies for these diseases."

In the treatment of masturbation, "we rely mainly on mechanical restraint and aphrodisiac medicines. The combination we prefer is that of conium, camphor, and belladonna; and we think we have indubitable evidence of its power. We sometimes prescribe blisters and cold baths with advantage."

Although we have exceeded our usual limits in the notice of this report, we cannot leave it without laying before our readers the following extract:—

"Of the 816 patients in the institution, during the past year, the suicidal propensity existed in 66—22 males and 44 females. There were 28—21 females and 7 males—in the house at one time. In 20 of these 21 females the propensity was intense. To have at one time under care twenty-eight persons bent upon destroying themselves, is a burden which they alone know who bear it, increased by the necessity of carrying, at all times, amid surrounding sadness, a cheerful countenance over a heavy heart. The successful attempt at self-destruction, before reported, was made on the 12th of July, by a female patient of our most intelligent class. Her melancholy end became known to her companions, with whom she was a favourite, and, on the following day, two other patients on the same hall were overheard devising a plan for their own death. About this time, the suicidal propensity prevailed extensively, and seemed to be epidemic. There were admitted, during the month of July, the large number of forty-four patients, from different portions of the State,

nineteen of whom were suicidal. Several of these had attempted suicide immediately previous to admission. Two patients, *who had long been in the house, and never exhibited suicidal propensities*, attempted it during the month (on the 13th), *though they had no knowledge of the violent death that had occurred in another portion of the building*. On the 17th, a patient, believed to be entirely ignorant of all that had occurred previously, attempted strangulation, and continued to repeat the attempt until restrained by mechanical means. On the 20th, a patient tried to open a vein in her neck; and, on the 22nd, another, who knew of the suicide, and was no doubt influenced by it, attempted her destruction.

"From the 14th of July, fourteen attempts were made by eight different persons; and twelve others, in whom the propensity was strong, required constant observation. The suicidal epidemic prevailed from the 12th to the end of July, after which time it gradually subsided, and left the minds of most of the patients."

The whole number of patients admitted since the opening of the asylum, is	2743
Of whom there have been discharged cured	1188
Died	320

	Men.	Women.	Total.
9. The number of patients at the asylum on Blackwell's Island, New York, Jan. 1st, 1849, was	187	250	437
Admitted in the course of the year	229	230	459
Whole number	416	480	896
Discharged	145	188	283
Died	85	127	212
Remaining January 1st, 1850	186	215	401
Of those discharged, there were cured (from insanity)	..	..	172

Thirty-six cases of delirium tremens, one of hysteria, and three of febrile delirium, also recovered.

Causes of death.—Cholera, 86; chronic diarrhœa, 38; diarrhœa, 10; dysentery, 4; consumption, 21; congestion of brain, 12; apoplexy, 5; epilepsy, 5; paralysis, 2; paralysie générale, 3; typhoid fever, 8; delirium tremens, 3; erysipelas, 2; old age, 4; and of scrofula, scurvy, suicide, albuminuria, typhoid pneumonia, chronic peritonitis, softening of the brain, dropsy, and exhaustion from exposure to cold, before admission, 1 each.

There were more deaths in June and July than in the remaining ten months—a mortality caused by the prevalence of the cholera. The first case of this disease was on the 10th of June, when there were 577 persons in the establishment, of whom 497 were patients. Of the whole number, 148 were attacked, and 91 died. The greatest number of new attacks, on any day, was 15, on the 9th of July; the last attack was on the 26th of the same month. "The principal sufferers were those who were usually lying about upon the floor or benches, regardless of their situation, and, in some cases, addicted to filthy habits, resulting from their demented state. Their physical condition was impaired generally."

The subjoined table shows the duration of the disease, from the time of attack, in the 91 cases of death:—

6	died in from 3 to 6 hours; all were collapsed <i>ab initio</i> .
18	" 6 to 12 hours; all were collapsed <i>ab initio</i> .
30	" 12 to 20 hours; all were collapsed, apparently <i>ab initio</i> .
16	" 20 to 30 hours; all collapsed from 4 to 12 hours after attack.
6	" 30 to 48 hours; 5 collapsed, 1 partially collapsed.
4	died on the 3rd day; all partially collapsed, and died from prostration.
4	died on the 4th and 5th; 2 collapsed, 2 partially so; all died from consecutive fever.
7	died after the 5th; 3 collapsed, 2 partially so; all died from consecutive fever.

"In those who were not entirely demented, the intellectual powers were apparently improved during the severity of the disease; but, at its subsidence, the mind resumed its previous condition."

Of the 148 cases, there was neither diarrhœa nor vomiting in 1, no diarrhœa in 1, no vomiting in 5, and no cramps in 59. Diarrhœa, vomiting, and cramps occurred in 82, and complete collapse in 90. Premonitory symptoms were known to exist in 61, to be absent in 31; and there were 56 in regard to which this fact was unascertained.

"In the case in which vomiting and diarrhœa were absent, there were severe cramps in the extremities, and extreme collapse, death occurring in three hours, followed by strong muscular contractions. The patient in whom diarrhœa was absent had severe cramps in the extremities and abdomen, excessive vomiting and feeble pulse, but recovered. The five in whom vomiting was absent were collapsed directly after the commencement of the disease. In one, cramps were likewise absent. All died, in three, five, four, three, and sixteen hours respectively. Of the 59 cases in which cramps were absent, 13 were partially and 32 completely collapsed: 36 of this number died."

The term *collapse* is used here in reference to those cases alone in which the patient was pulseless.

The erection of a new "Lodge" for violent patients, and of a large addition to the principal building, has given to the patients of this institution the additional room which was so much needed; and, rendering the improved management the more effective, has been of no little assistance in elevating the establishment above the wretched condition which made it a "shame and a reproach" to a Christian community. "Less restraint," says Dr. Ranney, "has been requisite, and frequently it has not been necessary, during the day, to apply any restraining apparatus, or even to confine a single patient in his room. The number of violent paroxysms, accidents, and attempts to commit suicide, have been lessened. At least one-third of the whole number of patients have been engaged in some species of labour."

Why, Dr. Ranney, people who visited your institution in 1846 would hardly know where they were should they call there again. At that time, one would have as soon looked for a library at the sources of the Nile, or among the Esquimaux, as at that asylum; but now the patients are supplied with "biography, history, geography, philosophy, theology, poetry, fiction," &c., and "free access to the reading-room has contributed much to the restoration of convalescents." That is as it should be. No more blessed resurrection has occurred within the limits of our experience.

In the report of the visiting physicians, Drs. Ogden and Williams, it is remarked, in reference to the cases of cholera, that "several patients refused to take medicine, and those all died; while many in apparent extreme collapse recovered under medical treatment—an important fact, showing the fatality of the disease when left to the unassisted efforts of nature."

	Men.	Women.	Total.
By the report for 1850, it appears that the number of patients on the 1st of January was . . .	186	215	401
Admitted in the course of the year . . .	195	196	391
Whole number . . .	381	411	792
Discharged . . .	138	113	251
Died . . .	43	34	77
Remaining December 31st . . .	200	264	464
Of those discharged, there were cured . . .	..	..	179

Among the cures were 25 cases of delirium tremens.

Causes of death.—Consumption, 23; general debility, 20; paralysis, 6; paralytic générale, 5; congestion of the brain, 5; epilepsy, 2; apoplexy, 2; dropsy, 3; stomatitis, 2; suicide, 2; inflammation of the brain, diabetes, empyema, lumbar abscess, erysipelas, chronic diarrhœa, and old age, 1 each.

The proportion of deaths, upon admissions, was four per cent. less than in 1848, and ten per cent. less than in any other year; that of recoveries was two per cent. greater than in 1848; and ten per cent. greater than in any previous year. Such are the expected, because the legitimate, results of the improved and still improving condition of the asylum.

From motives of "economy"—whether *domestic* or *political* we cannot assert, though, judging from the management of some of the institutions upon Blackwell's Island, while they were under the government of the common council of the city, we should strongly suspect it to be the latter—the convicts of the penitentiary have been employed as domestics and attendants at this establishment. Some of the results of this system are thus alluded to in the report:—

"The prisoners not only steal the clothing of the patients, but anything else of value that falls in their reach. As an illustration, the following case may be mentioned, *as one from a great number of cases of a similar character*. A few years ago, a young lady, who had been insane for some time, was admitted, and, although partially demented, her self-esteem was gratified by the possession of a beautiful head of hair. The morning after admission it was observed that her head was completely shorn, and, after a long examination, the ringlets so highly valued were found in the possession of a prison aid in the hall, who had committed the theft for the purpose of selling them to a peruke-maker."

The correction of this evil, by hiring suitable attendants, has been commenced, and will, undoubtedly, be completed before long. Various improvements, both within doors and without, were made in the course of the year. Among the former is the allowance, "*for the first time*," to the patients, of knives and forks in several of the halls. One of the best evidences of improvement, to persons who know the former condition of this asylum, is found in the gardener's report, where it is stated that an aggregate of 2779 days' labour was performed by the patients, between the 26th of May and the 31st of December. They raised *twenty thousand* cabbages, and other vegetables in proportion.

The visiting physicians, in their report, say that the number of pauper lunatics in New York city, on the 1st of September, 1834, was 116; whereas, on the 1st of January, 1851, it was 464. "Estimating the future increase from these data, the city and county of New York will, fifteen years hence, have more than a thousand lunatics to be supported at the public charge."

They suggest various improvements, which, if adopted and effected, will render this institution one of the best of its kind. At the close of the report, Dr. Williams resigns the place of attending physician.

10. From the report for 1849, of Dr. Buttolph, of the New Jersey State Lunatic Asylum, we extract the following statistics:—

	Men.	Women.	Total.
Patients in the Asylum January 1st, 1849	46	37	83
Admitted in the course of the year	55	41	96
Whole number	101	78	179
Discharged	39	30	69
Remaining January 1st, 1850	62	48	110
Of those discharged, there were cured	24	20	44
Died	4	5	9

Causes of death.—Exhaustion, 5; consumption, 2; chronic diarrhoea, 2.

"During the prevalence of the cholera in neighbouring places, a marked epidemic tendency to affections of the digestive organs prevailed in the institution; but no death, or very alarming sickness of that character, occurred."

The cure of a woman, insane more than *eighteen* years, and that of a man

whose disease had existed upwards of six years, are reported. Of the former, Dr. B. says, "No expectation was entertained of her recovery by her friends or the officers of the institution; and it must be regarded as a very unusual exception to the general rule of success, and to be attributed rather to a happy and rare effort of nature, than to the course of treatment adopted, which, at best, could only be considered as having favoured such a result." Of the latter he remarks, that in the recovery of the patient he was "also agreeably surprised, and could scarcely believe that a permanent cure had been effected, until some months of careful observation of his mental state had established the fact."

Now, granting that both of these remarkable cures were, as is suggested of the first, the effect of a "happy effort of nature," the question may still be asked, If it be likely that the "happy effort" would have been crowned with such success, had the patients not been taken to an asylum? We think it would not. Nature wanted just such assistance as can be and is rendered by a well-conducted institution.

The principal part of this report is devoted to a detailed account of the management of the institution, its daily domestic duties, &c. &c.

We proceed to the report for 1850.

	Men.	Women.	Total.
Patients at the beginning of the year	62	48	110
Admitted in the course of the year	52	58	110
Whole number	114	106	220
Discharged	28	30	58
Remaining January 1st, 1851	86	76	162
Of those discharged, there were cured	15	17	32
Died	6	4	10

Causes of Death.—Apoplexy, 3; consumption, 2; exhaustion, 2; chronic mania, 1.

Dr. Buttolph makes the following remarks upon treatment:—

"We use medicine sparingly, being influenced somewhat by the opposition that many insane have to taking it; but more especially by the fact, that a physiological treatment is frequently quite as salutary as medical, and vastly more agreeable to the patient. Under the head of mental and moral treatment we include all those means and influences that can be brought to bear upon a person through the medium of the mind and feelings. Thus, the removal of a person from home, and the associations with which their excited, depressed, or perverted feelings have arisen, is often nearly all that is required to restore the healthy balance of the faculties. But, in addition to the effect of separation from irritating causes at home, the new scenes, regulations, employments, amusements, and, indeed, the petty inconveniences and even annoyances met with in an institution, often have the effect, insensibly, to "withdraw the attention of the patient from subjects upon which he has dwelt to his injury. Hence, treatment in an asylum is usually more successful than in private, and, as a general rule, is to be recommended. Occasionally, however, cases arise in which the question of removal from home can only be properly settled by an experienced medical adviser, or by resort to the experiment of change."

After mentioning some improvements in the means of heating the buildings, which is done by steam, the report continues as follows: "As now working, we may safely challenge the world to produce another apparatus so perfect in the arrangement of its details, and so satisfactory in its results."

Dr. B. recommends an enlargement of the building by the addition of two wings, one on either extremity of the present structure, and each to accommodate thirty-eight patients.

11. Dr. Kirkbride, in the report of the Pennsylvania Hospital for the Insane, for 1849, says, that the institution was full at the commencement of the year,

and continued so until its close. The average number of male patients was 110, and of females 99. An additional wing, for the accommodation of twenty more women, was constructed in the course of the year. "When the institution was opened, in 1841, it offered accommodations for only 140 patients and their attendants. Since then, additions have been put up, at various times, which will now contain 80 patients with their attendants, making four new classes of each sex, and giving two fine infirmaries, and a great variety of fixtures and arrangements, of immense importance to the comfort of all, but which were scarce thought of in the commencement of the main building."

The recent additions are heated by steam. "The character of the warm air from a steam or mild hot-water apparatus," says Dr. K., "is so entirely different, and so incomparably more pleasant than that from the common hot-air furnace—its neatness, avoiding, as it does, all dust, dirt, or gas in the rooms, is so striking, and—after the first cost of the fixtures—its economy is so evident, that I feel no hesitation in saying that no one, who has had an opportunity of testing its advantages, will, with our present knowledge, be willing to see any other system than one of these adopted in any building like a hospital, whether for the ordinary sick or for the insane."

Patients at the beginning of the year	. . . . .	200
Admitted in the course of the year	. . . . .	208
Whole number	. . . . .	408
Discharged	. . . . .	187
Remaining at the end of the year	. . . . .	221
Of those discharged, there were cured	. . . . .	104
Died	. . . . .	19

Causes of Death.—Pulmonary consumption, 5; apoplexy, 2; congestion of brain, 1; acute mania, 4; chronic inflammation of the intestines, 2; chronic organic disease of brain, 1; exhaustion from high excitement, 2; bronchitis, 1; pericarditis, 1.

Upon the approach of the cholera, "every reasonable precaution was taken to avoid the exciting causes of that disease. When it is recollected that the epidemic prevailed for some time in our vicinity, and that a public institution within sight of us lost no less than two hundred and twenty-nine of its residents, of whom seventy were insane, we must all feel that we have cause for devout thankfulness to a protecting Providence that I am able to record the fact, that not only was there not a single case of cholera in our household, but that there was no serious acute sickness of any kind, and less general indisposition than is commonly prevalent in the institution and its vicinity."

"The museum and reading-room, put up by the patients and friends of the institution, and presented to it as a Christmas offering, last year, has been in daily use, and has proved a source of great enjoyment to a large number of the inmates of the hospital." The report is ornamented with beautifully executed wood-cuts, representing the exterior and the interior of this building, so valuable an acquisition to the inmates of the establishment. There are also, similar views of the "Patients' Cottage" and the "Ladies' Summer House."

Although the facilities furnished, at this institution, for the moral treatment of its patients, are not exceeded, perhaps not equalled, at any similar establishment in the country, yet Dr. Kirkbride, in his untiring philanthropy and his characteristic striving for the *perfect*, looks forward to more. "The treatment of the insane," says he, "has been gradually improved, till many persons believe that little more is to be accomplished. This, however, is a serious error, and ought to be disavowed by all who are familiar with the wants of the insane. Many highly important means of treatment are still to be procured, or their use widely extended, and nothing but an absolute want of pecuniary ability ought to prevent a much greater degree of efficiency than has ever yet been attained. Conspicuous among these means are the various measures con-

nected with the direct mental treatment of the patient—important in all cases, even in those apparently the most hopeless—but indispensable for many whose diseases assume forms that make them peculiarly interesting.”

The report for 1850 is the tenth issued by the institution and by Dr. Kirkbride. It contains so large an amount of valuable matter that, although there will be no difficulty in beginning to make extracts, yet we fear that it will not be so easy a matter to decide when and where to stop.

Patients at the beginning of the year	221
Admitted in the course of the year	207
Whole number	428
Daily average number	219
Discharged	215
Remaining at the end of the year	213
Of those discharged, there were cured	106
Died	27

Causes of Death.—Pulmonary consumption, 5; acute mania, 5; inflammation of brain, 3; apoplexy, 2; dysentery, 2; general paralysis, 2; softening of the brain, 2; exhaustion following excitement, 1; chronic uterine disease, 1; epilepsy, 1; purpura, 1; disease of heart, 1; old age, 1.

Six of the patients died within two weeks from the time of admission.

“While simple insanity does not often produce death, it unquestionably tends to lessen the average duration of life, by rendering the individuals labouring under it less able to resist attacks of acute disease, by the difficulty often experienced in discovering sickness in its commencement, and by the resistance offered to the adoption of a proper course of treatment. There is, however, an acute form of insanity which does often cause death by a kind of exhaustion induced by the combined operation of long-continued mental excitement, want of sleep, and refusal of food. To distinguish these cases from ordinary insanity, to which they have little resemblance, the mode in which death has appeared to be caused has been inserted in the table. When acute disease of the brain has been referred to, it is intended rather to designate active inflammation of that organ than insanity.”

After treating of the utility derived from the farm and garden, the workshop and mechanical department, and the museum and reading-room—the last of which has been found so useful that another, so that there shall be one for each sex, is desired—the report continues as follows:—

“During nine months of the past year, the course of lectures and entertainments in the lecture-room *was kept up regularly three times a week*, to the great gratification and benefit of the patients and those employed in their care. I have no knowledge of such a course having been regularly continued for so long a period in any other institution, and it was interrupted only on account of the hot weather rendering the room uncomfortable for so large an audience. During this intermission, on several evenings of the week, the patients were entertained in other modes, on the lawn in front of the main building.

“The practice of daily reading, by the teachers, to the patients in the different wards, especially those devoted to the more excitable class of patients, has been continued with marked good effect.

“The entertainments in the lecture-room have almost entirely done away with the social parties for both sexes that, in the earlier days of the institution, were frequently given, and the effects of the former have been found, upon the whole, to be much more satisfactory. Frequent sewing parties are still held by the matron, among the ladies of the different wards, and a grand entertainment, for all in the house, is always expected on Christmas eve, preparatory to the special dinner given on the following day.”

A new feature has been added to the mental treatment, by the establishment of a library in each ward, of which there are sixteen. These libraries contain

eleven hundred volumes. "A trial of three months has already been made with these books, and the result is most gratifying. The expressions of satisfaction, and of the benefit derived from them, by the most intelligent patients, is of itself sufficient to show their great importance, and but three volumes, of little value, are reported to me as having been injured."

We now come to that part of the report which has reference to the whole period of the existence of the institution. This is introduced by some, in our opinion, very just remarks upon statistics, from which we shall extract the most important passages.

"The value of statistical tables, on any subject, must, in a great measure, depend upon the competency of the observer, and the care that is exercised in their preparation; *but the fact that there are some inherent difficulties in the case can scarcely be deemed a sufficient reason for making no attempt to overcome them, or not approaching as near as possible to absolute certainty.* There seems to be no sound reason why the statistics of insanity may not possess as much certainty as those of most other maladies. Notwithstanding the false deductions made by those who have carelessly analyzed these reports and tables, it must still be acknowledged that this evil will be likely to correct itself; and it cannot be denied that, with all their defects, the general circulation of hospital reports, containing the results of judicious treatment, has done more to enlighten the public mind in reference to insanity, to stimulate and give proper direction to the efforts of philanthropists, and eventually lead to a liberal provision for the wants of the insane generally, than all other means combined.

"One great error, often committed in reference to the statistics of hospitals for the insane, has been in using those from different institutions as a basis of comparison, without alluding to the varied character of these establishments, the kind of patients received, in regard to their curability and general health, the different modes prescribed for their admission, the authority to detain them for treatment without regard to the caprices of friends, and various other circumstances having an important bearing upon the results, and without a full knowledge of and allowance for which, all comparisons are perfectly useless.

"Of all the medical subjects that can be tabulated, the number is exceedingly small in which the statements are not, to some extent, matters of opinion, and this latitude is as allowable in reference to insanity as to any other malady."

	Men.	Women.	Total.
Whole number of patients admitted	999	807	1806
" " " " discharged cured	466	377	843
" " " " of deaths	104	72	176

"The number of males in the institution has generally preponderated (over that of females); but not universally. In nearly every year at some period, the number of the sexes has been equal, and, at other times, there have been more females than males."

The attention of those who have made themselves familiar with the reports of our institutions for the insane, during the last ten or fifteen years, must have been arrested by the fact that the number of females, not only absolute but relative to that of males, in those establishments, has been gradually increasing. While this truth indicates greater public confidence in the utility and the management of the hospitals, it throws a doubt upon what was believed to be a fact in former years—that the number of insane men in this country exceeds that of insane women.

"Among the cases embraced in this report, by far the most prevalent cause of insanity has been ill-health of various kinds, and in about the same proportion in both sexes. Intemperance is set down as the *direct* cause, in 106 (out of 1806) patients, of whom 97 were men and 9 women. This, however, is far from showing its real influence in the production of the disease. It tells nothing of its effect on others, nothing of the blighted hopes, the losses of pro-

perty and character, the domestic difficulties and the mental anxiety, deep and depressing, which follow in its train and owe their origin to its existence. Loss of property, directly or indirectly, is a not infrequent cause of insanity, affecting men much more than women; while domestic difficulties are a vastly more common cause of its existence among females than males."

Fifteen cases, ten men and five women, were attributed to fright. They "were well marked, and resulted directly from that cause." After mentioning various other causes, the report continues: "Two cases in men and five in women, are reported as caused by the use of opium; and four in men, by the use of tobacco. Opium is much more used by females than males, and its effects upon the mind, no less than upon the body, are of a most injurious character. The use of tobacco has, in many individuals, a most striking effect on the nervous system, and its general use in the community is productive of more serious effects than is commonly supposed. I have never seen anything more than a temporary annoyance result from its entire discontinuance, *and by that course alone the complete re-establishment of impaired health has often been produced.*"

Some physicians report the loss of sleep as a not infrequent cause of mental derangement. Dr. K. gives no case from this origin, as he has found that the loss of sleep arose from some antecedent cause, or was the *effect* of the insanity.

When the physicians to asylums have deprecated the practice of general bleeding in insanity, they have frequently been met by the argument that *they* do not receive patients until the acute stage has passed away, and that, consequently, their authority for the treatment of that early stage cannot be valid. Of the 1806 cases reported by Dr. Kirkbride, in no less than 913 the disease was of less than three months' duration. It is not unreasonable to suppose that a large number of these had not existed two months, and many of them not *one*. Now, where are there any *ten* physicians, in general practice, in one city or vicinity, whose combined experience in the treatment of even *acute* insanity is equal to that of Dr. Kirkbride's? And yet we venture the assertion—and we call upon the Dr. to correct us, if we are in error—that, in all these 913 cases, Dr. K. has not practised venesection, *for insanity*, in a single instance. He may have done it for apoplexy, or congestion of the brain; but for mania, melancholia, or any of the maladies generally included under the name insanity, we presume to say *never*.

But perhaps we shall be referred to the authority of Dr. Rush, whose work on mental disorders is the only one generally known in this country. If so, we have two answers and another authority to offer. First: If, in the time of Dr. Rush, venesection actually was the best treatment for insanity, it does not necessarily follow that it is so now. Second: We consider the authority of Dr. Kirkbride, in the treatment of this disease, as of far greater weight than that of Dr. Rush, and that simply because we believe his experience to have been greater. Now for our authority; and it comes from a high source, the centre of London. In the early part of the present century, the system of treatment at Bethlem Hospital for the insane "consisted of *bleeding, purging, and vomiting, in the spring months. A certain day was appointed on which the patients were bled; another when they were purged; another when they were vomited. They were bled in May, and again in June, THE PRECISE TIME DEPENDING ON THE WEATHER.* The two authorities are contemporaneous. The latter is from an hospital so elevated in its position, that it is the only one, in the whole kingdom of Great Britain and Ireland, which is exempted from the inspection and surveillance of the Commissioners of Lunacy, and whose physicians, it must therefore be presumed, are among the most eminent in London.

But the physicians of probably nineteen-twentieths of the institutions for the insane, not only in America and Great Britain, but in France, Prussia, and Austria, condemn the practice of general bleeding, in insanity, unless it be in rare and exceptional cases.

Dr. Kirkbride has found mania to be the most curable of any of the specific forms of insanity. Next, in this respect, follows melancholia. Monomania occupies the third place; and the least proportion of cures—fifteen in two hundred and twenty-one—was in dementia.

We close our notice of this report with an extract relating to the provision for the insane in Pennsylvania.

"It is now just about a century since the Pennsylvania Hospital, the pioneer institution for the insane in America, was incorporated by the Provincial Assembly, and opened for the reception of patients. With the exception of the Friends' Asylum, at Frankford, established in 1817, and an Insane Department of the Philadelphia Almshouse, at Blockley (which, a few years since, for the first time, took rank as a curative establishment), the Pennsylvania Hospital has been the only institution in the State to which any class of her citizens could resort for the treatment of insanity, and it was, strictly, the only one which offered relief from this malady, without cost, to the indigent of Pennsylvania.

"From the foundation of the Pennsylvania Hospital, in 1751, to the present time, 6062 insane persons have been admitted and treated in its wards. Of these, more than 1000 were poor, who received every care and attention without charge of any kind, and of whom a large proportion were restored to their families in perfect health, and many others in various states of improvement; the number of this class under treatment being limited only by the income of the institution.

"It will be a fitting commemoration of the services rendered by a private charity to all classes of the insane, but especially to the indigent insane of Pennsylvania, during a whole century, that, exactly at the end of that period, our noble Commonwealth will have prepared and put in operation a State Institution,* intended to afford relief to all her citizens who labour under loss of reason, and which, with a judicious organization, and fostered by liberal and enlightened legislation on the part of the government, cannot fail to spread blessings of inestimable value throughout the community.

"When the new institution is in operation, about one thousand insane patients will be comfortably provided for in the State, and, except an hospital in its western part, Pennsylvania will require no material extension of the accommodations for her insane, for many years, although important improvements will be desirable in all the existing institutions."

12. The official year, of the "Asylum for the Relief of Persons deprived of the use of their Reason," at Frankford, Pa., commences with the 1st of March.

	Men.	Women.	Total.
Number of patients March 1st, 1848	24	31	55
Admitted in the course of the year	19	19	38
Whole number	43	50	93
Discharged . . . . .	..	..	46
Remaining March 1st, 1849 . . . . .	..	..	47
Of those discharged, there were cured . . . . .	..	..	25
Died . . . . .	..	..	5

Causes of Death.—Effects of long excitement, 1; organic disease of the brain, 1; old age, 1; tumour on the brain, 1; acute mania, 1.

Schools and lectures constitute a part of the moral or mental treatment of the patients. "The experience of the past year," says the report, "confirms the opinion heretofore expressed, of the great utility of mental occupation, as well as bodily labour, in the curative treatment of the insane; and also its great importance in promoting the comfort and well-being of those who are incurable. It is not to be expected that the latter class should be capable of

* At Harrisburg. It is now in operation.

making much advance in learning, though their mental powers are certainly strengthened, and more developed by being brought into use, and stimulated by exercise; but, independent of this, important benefits result to them, from the efforts made to interest and employ their minds, inasmuch as they soon begin properly to appreciate the care and attention required to instruct them, and manifest their willingness to repay it by increased correctness of deportment."

In the course of the year, means of forced ventilation were introduced into some parts of the building, the old bath-rooms were improved, and two new ones arranged.

The leading statistics, from the report for 1849, are as follows:—

	Men.	Women.	Total.
Patients at the beginning of the year	24	23	47
Admitted in the course of the year	16	11	27
Whole number	40	34	74
Discharged . . . . .	..	..	26
Remaining at the end of the year . . . . .	..	..	48
Of those discharged, there were cured . . . .	..	..	14
Died . . . . .	..	..	4

Causes of Death.—"Obstruction of the bowels," 1; acute bronchitis, 1; typhoid fever, 1; suicide, 1.

"Although the cholera prevailed at Frankford and in the vicinity of the asylum, yet the inmates of the institution were mercifully preserved from its fearful visitation; but, during the last summer and the first fall months, epidemic dysentery prevailed, to a considerable extent, among the patients and their attendants."

The report says that "a detailed description of the means that have been employed (in treatment), would be little more than a repetition of the matter of previous reports," and, consequently, no such detail is given. We find a similar idea expressed in the reports of several other institutions. Now, so far as our observation has extended, comparatively few people read the reports of asylums for the insane, other than physicians and those who have some near relative or friend suffering under mental alienation. Hence, a very large proportion of those readers is constantly changing. The new class of them are mostly ignorant of the modern method of treatment, and ought, as they generally wish, to be enlightened thereupon. It has, therefore, long been our opinion that each report of every institution should contain a description of the moral treatment, so full as to give a clear comprehension of it to a person previously without any knowledge upon the subject.

At or about the commencement of the official year for 1850-51, an important change was made in the organization of the Frankford Asylum, by making a physician its superintendent or principal officer. Dr. Joshua H. Worthington, who, for several years had been the resident physician, was appointed to the place. He is well qualified for the fulfilment of its duties.

Patients at the beginning of the year	48
Admitted in the course of the year	20
Whole number	68
Discharged	25
Remaining March 1st, 1851	43
Of those discharged, there were cured	12
Died	2

"In general," says Dr. Worthington, "the time required for the cure of any case of insanity will depend upon the promptness or delay with which the patient is submitted to proper treatment. The earlier the treatment is commenced, the more speedy will be the recovery; and the reverse. We occasionally, however, meet with cases of long duration, in which the condition of

the patient has been much neglected, or where the disease may have been kept up by improper treatment, which recover rapidly when placed under different circumstances. An instance of this kind was that of a young man from one of the interior counties of this State, who was discharged during the last year. He had been insane for two years previous to his admission, and, at the commencement of the attack, had attempted to take his own life by leaping into a well, and afterwards had been kept bound with chains. Under our care, he recovered in the course of a few months; and, during the period of nearly a year that has elapsed since his return home, he has continued entirely well, and been usefully employed in the management of a farm."

In regard to the curability of insanity, Dr. W. states, that, "in this institution, with the reception of all classes, and the disadvantage of premature removals, the per-centage of cures of recent cases, since 1842, is 72.25, there having been received, since that time, 191 cases of that description, of which 138 have been restored. If to this we add 10 per cent. as the probable loss sustained by premature removals, we shall have 82.25 per cent. which may be considered as nearly representing the proportion in which recent cases of insanity are curable. During the same period, 121 chronic cases have been admitted, 24 only of which, or 19.83 per cent. have been restored; the proportion of cures, on the whole number received in that period, being 51.92."

13. Dr. John Fonerden became connected with the Maryland Hospital in 1846; but no report, written by him, was published until the close of 1849. This report, therefore, contains the statistics of four years.

	Men.	Women.	Total.
Patients at the hospital January 1st, 1846	58	49	107
Admitted in the course of four years	139	113	252
Whole number	197	162	359
Discharged	131	95	226
Remaining December 31st, 1849	64	69	133
Of those discharged, there were cured	43	36	79
Died	40	17	57

"There were admitted, exclusive of the patients enumerated above, 107 private boarders affected with mania à potû. All of these were discharged recovered, except three who died. As asylums for the insane are not appropriate places for cases of this character, it will probably be discovered, in the progress of moral intelligence, that it is a proper function of the Temperance Societies to adopt the plan of building, on a farm near each of the principal cities, a suitable retreat; to be conducted, under the advice of a physician, by managers of mature age and discretion, who, having the promotion of temperance in view, and sufficient leisure, would aim, by their personal aid, to lead young men, after recovering from the dreadful malady, to love sobriety and usefulness of conduct."

"The number of recent cases of insanity admitted during the four years," continues the report, "was very small. Almost all the cases were of more than one year's duration before admission."

Dr. F. mentions the defects of the hospital, and the necessity of a "thorough reform." He evidently looks forward to a new architectural arrangement of the building, or to the erection of a new one, in a more suitable place. We hope that no considerations will induce the managers of that institution to decide upon the former course. Between the investment of a pretty large amount of funds in the attempt to make the present establishment what a hospital for the insane ought to be, and throwing the same sum into the river, there would be, in our opinion, but little choice.

In allusion to defective training, in early life, as a cause of mental disorder, the report closes with the following beautiful effusion of the heart of a father and, in the best and noblest sense of the term, a man:—

"How important is it, then, that childhood and youth should be gently led,

by a patient and loving help, both in play and at pleasant work, into innocent habits of the mind, and, in agreement therewith, into bracing habits of the body. For, so far as such conjoined habits become identified with the physiological life, they will combat, triumphantly, many a hereditary peculiarity, mental and corporeal; and they will be strong in vital power to resist the invasion of disease. More than this; becoming, in due time, subservient to the religious principle, in its legitimate works of sincerity and justice, they will surely generate a purity of purpose in the discharge of domestic and all other duties; and thus, by exempting the mind from an abiding presence of selfish thought and inclination, they will be a safeguard against most of the secondary causes of disordered ideas and emotions, of incoherent speech and impulsive actions. So may the human mind, apart from the blighting power of unavoidable disease and accident, gradually work out its emancipation from the infirmities of a natural temperament; so can it earn the faculty of living in freedom according to reason."

Statistics from the report for 1850:—

	Men.	Women.	Total.
Patients at the beginning of the year	64	69	133
Admitted in the course of the year	25	15	40
Whole number	89	84	173
Discharged	21	11	32
Remaining at the end of the year	68	73	141
Of those discharged, there were cured	8	6	14
Died	5	1	6

Seven cases of mania à potû were also received, and discharged cured.

Dr. Fonerden calls the attention of the President and Board of Visitors to the necessity of providing additional accommodations for the insane, in the State of Maryland. The only argument adduced is the impossibility of receiving all the applicants at this institution. "It may now happen," says he, "that one or two months will elapse before another public patient can be received. In the mean time, urgent applications will continue to be made for the relief of the public and of families, and for the protection of the destitute insane, whose cases, in most of the counties, are dependent upon this institution for custodial arrangements. On the day of writing this, applications have been made for the admission of three patients at the expense of the counties."

MORTALITY AND INSANITY IN SEPARATE PLAN PRISONS IN ENGLAND AND AMERICA.*

(Concluded from page 406.)

Of the 1631 white prisoners admitted during the same period, there were 73 deaths, or about $4\frac{1}{2}$ per cent. of the whole number; the per-centage in different years varying as in the case of the coloured. Thus, in 1830, the per-centage is 4.19; in 1831, 4.18; in 1832, 1.44; in 1833, 1.11; in 1834, .80; in 1835, 1.26; in 1836, .99; 1837, 3.00, &c., &c. The average mortality of the white population of the city and liberties, during the decennial period above referred to, was 2.37.

The mortality above indicated would be somewhat increased by taking into account the number of pardons granted on account of ill-health within this period; but, inasmuch as we have no means of arriving at this, we shall exclude it from the calculation. It may be stated, however, that to the close of the year 1848, 278 prisoners had partaken of executive clemency.

* Read by Dr. Parrish at a meeting of the College of Physicians of Philadelphia, Sept. 2nd, 1851.

At the county prison at Moyamensing, built and conducted upon the same plan, we have the following general results:—Taking, for the sake of convenience, a period of thirteen years, viz., from 1835 to the close of the year 1848, we find that 2818 prisoners were sentenced to separate confinement in the convict department of this establishment; of these 1526 were white, and 1392 coloured. These prisoners are from the city population, and are of course in a less vigorous state of health on admission than those from the country; but their sentences are, as a general rule, short,—in a large proportion of cases not exceeding a year, and a majority of them between three and nine months.

Of the 1526 whites, 37 died, or at the rate of about 25 in the 1000, or 2½ per cent. Of the 1392 coloured, 118 died, being a fraction over 80 in the 1000, or 8½ per cent. It will be seen that the same disparity exists here in the mortality between the white and coloured; though the average for both colours falls far below that of the State institution; a fact which forcibly illustrates the comparative influence of long and short sentences in separate prisons.

In both institutions, every attention is paid to the diet, clothing, and medical supervision of the prisoners; the construction of the buildings, and the general course of discipline are the same in each, except that in the county prison the cells are not provided with exercise yards, and the intercourse between the prisoners through the windows opening out upon the main yard, and by other means, is much more easy than in the State institution.

With this summary view of the condition of the prisons in our own vicinity, let us turn for a few moments to the state of things in England, as reported to us in the paper referred to at the opening of this communication.

It has been remarked, that the British government has, within a few years past, adopted the plan of separate confinement in her penal institutions; and the experience thus acquired has frequently been quoted in this country as confirmatory of the safety and efficiency of this system.

It must be borne in mind, however, that the separate system in England is a far different thing from the Pennsylvania system. It is, in fact, divested of some features which are considered fundamental with us. Let me briefly explain the difference.

Separate confinement in England is but a part of a general scheme of management and disposal of convicts, and not, as with us, the only means of satisfying the requisitions of the law. It is, in fact, a probationary stage, intended for the moral training of the prisoner, prior to his entering into associated labour on the public works, or in the colonies. The maximum period to which separate confinement is carried there is eighteen months, while the sentences rarely exceed a year, and in many instances are not over six months. Beyond these periods it is not considered safe by some of the best authorities. Thus, Major J. Jebb, Inspector-General of Prisons, remarks, in one of his recent reports to Parliament: "My own independent conclusion, founded on close observation of the system carried out at Portsmouth, Wakefield, and other prisons, is that separate confinement, with very few exceptional cases, and with ordinary precautions, may be safely and generally adopted for periods extending from six to twelve months, or rather more. Beyond twelve months I think it requires greater care and watchfulness than would perhaps be insured under ordinary circumstances, and there are grounds for believing that it is neither necessary nor desirable to extend it." (See first Report on Portland Prison, &c., by Lieut.-Col. Jebb, presented to both houses of Parliament by order of her Majesty, 1850.)

Pentonville and Millbank are the two most extensive separate prisons in England; they are of modern construction, and are said to be admirably arranged and managed. The former went into operation in 1842, and cost the government 85,000*l.*, or 162*l.* per cell; it is capable of accommodating 500.

The latter has been built since, at a cost of half a million sterling, with accommodations for 1100 convicts. Besides these, there are five or six smaller institutions, in different parts of the kingdom, containing in all, according to the reports for 1850, 2686 persons who were undergoing the probationary period of separate confinement.

Dr. Winslow estimates the known registered mortality of these prisons at 19 in the 1000, exclusive of pardons for ill-health, which, being included, would bring it up to 23½ per 1000, or a fraction over two per cent.

The diseases which are the main outlets of life are, as with us, scrofula and consumption. At Pentonville, the mortality, since its opening in 1842, has been 13½ per 1000; at Millbank, 18½ per 1000. At the Pentonville establishment, the prisoners are picked men, and none are admitted who have not been pronounced by the physician in the best mental and bodily health. Of the first 1000 thus admitted, 11 died of consumption, and 14 were pardoned for having contracted the disease, which would make the rate of mortality from this disease alone 2½ per cent. amongst men selected for their physical vigour. The highest ratio of mortality in any one of the English separate prisons is, according to Dr. Winslow, 41 deaths to the 1000; this is at Reading, which contained in 1850 only 40 convicts.

It will now be seen, that the mortality of the separate plan prisons in England, although regarded as high, falls considerably below that of the Philadelphia establishments.

Thus we have had at Cherry Hill at the rate of 90 deaths to the 1000 prisoners, and at Moyamensing about 52 to 1000, including the deaths of coloured prisoners; comparing the white mortality alone, the disproportion is much less. Thus, we have at Cherry Hill 45 to 1000, and at Moyamensing about 25 to the 1000, exclusive of the pardons, the latter being but little above the registered mortality of the English prisons, stating it at 23½, and the former exceeding but little the mortality of the prison at Reading, 41 in the 1000.

Did time permit, the causes of this disproportion in the deaths in the English prisons and our own might, I think, be satisfactorily explained; and in connection therewith some cogent arguments furnished in favour of a modification of the system now in operation in both countries; but I fear that the patience of the College is already wearied, and I must therefore ask their indulgence for a few moments while I present another branch of this inquiry of still greater importance.

The tendency to separate confinement to induce insanity has been constantly alleged as a most serious objection to its adoption, while the more ardent friends of the system have either totally denied this tendency, or have considered it a contingent circumstance, and not a necessary accompaniment of its proper administration.

Examining this question as it is presented to us in the medical reports, and collating the results, we shall find no difficulty in arriving at the truth.

Dr. Winslow states the cases of mental disorder in the Pentonville prison, between January 1, 1843, and June 30, 1850, at 42 out of 3050 prisoners, being 13.7 per 1000, or 5½ greater than the average in the community; at which rate, were it general, England would have, in 1851, near upon 50,000 male pauper lunatics within her borders!

In Millbank, 34 cases are reported out of 18,520 adults, and 9 cases in 2024 juveniles. And at the meeting of the society at which these statements were made, Dr. Webster stated that, within the last three years, 20 insane prisoners had been sent to the Bethlem Hospital from the Penitentiary at Millbank, and 12 from Pentonville, thus making 32 lunatic patients from these establishments.

In Portland prison, but 5 cases of insanity are reported in 1450 prisoners, or about 3½ per 1000, being one per 1000 above the average. This is an

establishment recently opened in the sea-coast of Portland, for the reception of prisoners who have been undergoing separate confinement; and who are here subjected to a course of moral discipline and industrial training, in associated labour during the day, with separation during the night and at meal-times, prior to their final deportation to a penal colony. During the progress of labour on the public works (which is always carried on under the immediate superintendence of the prison officers), the prisoners are allowed to converse to such an extent as not to interrupt the progress of their work. They are also stimulated to good conduct by becoming eligible for release from penal discipline, and embarkation for the colonies, at an earlier period than their sentences would indicate, and by the prospect of procuring on their arrival constant employment at good wages, with the ultimate privilege of being joined by their families in their new home.

The conclusion reached by Dr. Winslow, in view of these facts, is unfavourable to the opinion that the separate or solitary system, even in the modified and restricted form adopted in England, is innocuous to the mind and body, although he hopes that some modification may yet be devised which will relieve it of the well-founded objections which now hold against it.

The statistics furnished by the prisons at Philadelphia bearing upon the question of insanity, are much more full and conclusive than those from abroad; and I ask the attention of the College to them as affording matter for serious reflection and energetic action on the part of those who regard the just and merciful administration of penal law as amongst the highest objects of civil government.

A full account of all the cases of insanity occurring at the Eastern State Penitentiary has not, up to the present time, been prepared; although there has been, in each year, a tabular statement of the number of cases occurring within the year, with the colour, age, sex, health on admission, hereditary tendency, period of imprisonment at which the attack occurred, the form of the disease, and the result.

It is established, by carefully drawn up tabular statements, that 55 cases of insanity originated in the Penitentiary during a period of six years, with an average population of about 300 prisoners. These occurred at various periods of confinement, but it is worthy of remark that a large proportion of them *were developed in prisoners under long sentences*. Thus 36 of the 55 cases were in prisoners sentenced for more than two years, 12 for two years, and 6 for terms between one and two years, and one for six months.*

This fact is exceedingly interesting when viewed in connection with the observations made in the English prisons, and affords conclusive evidence of the tendency of long sentences to produce insanity in separate plan prisons.

In addition to this statement, it may be added that there are at the present time 43 insane prisoners within the walls at Cherry Hill; out of a population of 300, 30 of these cases have been developed in the institution: the other 13 were more or less insane on admission, although 10 of them were convicted of crime, and sent there as convicts. Of these 43, 28 are white, and 15 coloured; 41 males and 2 females.

All of these cases are recorded as insane, and are so regarded by the medical officer, and by the overseers in charge of them. Dr. Given, the late physician of the penitentiary, is certainly competent authority on this point. A residence of two years as medical assistant to Dr. Kirkbride, and of seven years at the Penitentiary, besides a high reputation for the conscientiousness and accuracy of his medical opinions, give to his judgment a peculiar value. The cavils of non-professional partisans, however well meaning and sincere may be their desire to advance their peculiar views, can weigh nothing against the testimony of so careful and enlightened a medical observer.

* We regret to be obliged to omit the admirable tabular statement accompanying the article.

Many of the cases of insanity occur in convicts of slender capacity, whose education and mental resources are limited, and who speedily succumb when deprived of society. They are commonly ushered in by frightful hallucinations, such as imaginary sounds outside of the cell; conversation between enemies conspiring to do them injury, with constant apprehension of murder or destruction: then comes on loss of sleep, with its attendant nervous excitement; and if not arrested in this stage by appropriate treatment, more confirmed mania, or dementia follows.

Suspected poison in the food, and consequent refusal to eat, is another common form of hallucination. One prisoner, who is regularly at work, has, for a long time, supposed himself the intended victim of a conspiracy out of doors, and although he is locked in his cell with double doors, front and back, he regularly barricades his doors at night, to keep out his tormentors.

It may be stated farther, on the authority of Dr. Given, confirmed by the testimony of the warden, and of the overseers appointed by him, that the present number of the insane is not excessive; but that for a number of years past, it has been about in the proportion here stated. A majority of the officers place the ratio of insane at 10 per cent., while the lowest estimate is 7 per cent. Admitting it to be 8 per cent., we should have 80 cases of insanity for every 1000 prisoners, or over 200 cases for the 2549 prisoners admitted to the close of the year 1849; exclusive of a large class sent to the institution with their minds more or less diseased.

This estimate does not rest upon vague assertion, or upon the clamour of the opponents of the system; it comes from men deeply interested in the welfare of the institution over which they watch, many of whom have been connected with it for a long series of years, and are thoroughly conversant with its practical working.

In the county prison, the number of insane reported falls far below that of the State institution, and approaches nearer to the British prisons. A statistical table of all the cases occurring between the years 1835 and 1849 gives us 23 cases from 2815 prisoners, and of these, 14 are said to have been more or less insane on admission, leaving but nine cases originating in this prison; a number considerably below Pentonville, above Millbank, and nearly equal to Portland. This striking difference between the State and county prison may, I think, be explained on the same grounds which have heretofore been assumed when speaking of their relative mortality, the difference in the length of sentences being the most important element in the consideration.

From the above comparison of the mortality and insanity of our separate plan prisons with those in England, it will be seen that the State prison at Cherry Hill, where the experiment of separation was first commenced, and where it has been vigorously carried out for more than twenty years, has been the most severely scourged by those disorders which medical experience has proved to follow rigid confinement in close and darkened rooms, without the requisite amount of exercise in the open air, and sun-light. While it is equally evident that the abrogation of the social principle, continued for lengthened periods as practised here, inflicts upon a certain class of minds serious and oftentimes irreparable mischief. The extent of these evils can only be realized by looking through the entire history of this institution, and computing the mortality and insanity from the whole number of persons subjected to its discipline.

It is also observed that in the separate plan prisons of England, where the sentences rarely exceed a year, and in which all the modern improvements of construction have been introduced at an enormous expense, the mortality and insanity, although comparatively trifling, have still been sufficiently high to attract the notice of distinguished medical men, and to induce them to doubt the propriety and humanity of the plan.

This is not the time or place to enter into an examination of the healthful-

ness of other prisons, as compared with those to which our attention has been directed, or to discuss the relative merits of the plans of imprisonment now in vogue. My object is not to advocate any particular system, but rather to show that an exclusive devotion to one idea on this subject may lead to serious consequences, both as it affects individuals and the State. When we consider the great variety in the physical and mental constitution of man, the many diverse circumstances by which his actions are influenced, and the various grades of moral depravity which mark his departure from a virtuous life, it would seem reasonable that, in graduating punishment, some regard should be had to these differences; and that one invariable method should not be applied to all. While, therefore, we would not abandon the separate principle as applied for *limited periods* to the generality of convicts, we should be equally averse to applying it to those whose physical and mental constitution were proved, by observation, to be peculiarly obnoxious to its influence.

To continue such a course would be visiting calamities upon these erring and rebellious subjects of the State which the law never intended, and from which humanity revolts. What more cruel penalty can be inflicted on a fellow-being than the dethronement of his reason!—to be doomed to a life of sorrow and privation—the creature of sudden impulse, or the passive and imbecile instrument of another's will! What hope of steady and consistent conduct can light the path of those whose minds have been unhinged by the very means taken to enlighten and reform them?

These are questions which naturally arise in view of the facts here presented; they are not the offspring of a sickly sentimentality, or of a morbid sympathy for criminals; they affect alike the honour and reputation of the commonwealth, and the best interests of those who have forfeited their liberty, by violating its laws.

In the remarks here made, I must distinctly disclaim any feeling of opposition to the institutions more especially brought under review. Their management and discipline are, I believe, in accordance with the laws, and those placed in charge of them appear to be generally imbued with a spirit of humanity in carrying out the trust committed to them. That this is the case at Cherry Hill, frequent personal observation for some years past as a visitor and member of the Prison Society, has fully convinced me. I doubt, indeed, if there is a prison in the country supplied with a more intelligent and humane body of officers than this; and none certainly where a greater degree of order, decorum, and good feeling prevails.

There is also, on the part of the chief officers of the institution, no desire to suppress inquiry into the effects of their discipline upon life and health, or to retard such improvements and modifications in the mode of punishment in operation there as enlightened experience may suggest.

I hope the College will excuse me for taking up so much of their time in the examination of a subject which may be regarded by some as not strictly within our province to discuss. I know that there is a feeling abroad opposed to all efforts tending to the farther amelioration of the criminal code, and it is even contended that, by making prisons too comfortable, and their discipline too mild, a direct bounty will be conferred upon crime, and thus one grand check to the evil passions and designs of bad men will be removed. But I trust that, as physicians, desirous of the establishment of truth upon a question of great public moment, no such considerations will deter us from investigations into the effects of the various methods of punishment upon the minds and bodies of the inmates of prisons, and, if we find suffering and disease beyond the limits which the law contemplates or which humanity sanctions, that our voices at least will be raised for their correction.

ON THE ORGANIZATION OF ASYLUMS FOR THE INSANE.*

BY JOHN M. GALT, M.D., PHYSICIAN TO THE EASTERN ASYLUM OF VIRGINIA,
AT WILLIAMSBURG.

At the last meeting of the Association of Medical Superintendents of American Institutions for the Insane, the state of my health prevented a participation in the interesting proceedings of this body. Having been directed, according to an order passed at a previous session, to choose a subject on which to report, I did so, but was unable to write out my views fully, owing to the same reason just given above for my absence from the meeting referred to. Insomuch, however, as most of what I should have remarked would have necessarily been found elsewhere, and doubtless expressed in a better manner than any effort of mine could attain, it matters little that this duty was unfulfilled. But wishing to conform as closely as possible to aught assuming the shape of a promise, I content myself with now presenting a few observations concerning the Organization of Asylums for the Insane, instead of offering an elaborate article on the subject. I shall therefore simply touch upon three prominent points in this relation.

The first of these topics which we proceed to notice, is an arrangement suggested in connexion with the early history of a lunatic asylum: we think that when such an institution is contemplated, the medical superintendent thereof should be appointed before the building is put up, or even a plan of construction is adopted. And this, too, whatsoever be his particular functions with regard to the necessary buildings; in other words, for example, whether he be entrusted with the supervision of the whole undertaking, or have only the task of making suggestions as to the adoption of a suitable model. Not unfrequently we find that it is a practice with the trustees of new asylums to select as their medical superintendent, some gentleman who is already connected officially with an establishment of the kind. In such event, as regards an asylum designed to be erected, it is evident that you secure the aid resulting from the counsels of an individual directly and personally interested in the proposed institution, who has a thorough acquaintance with the architectural requirements for the management of the insane. Here you have, therefore, the combined assistance of self-interest, experience, and study. But even in cases where an ordinary physician is selected, you have under this plan, in the first place, an early attention on his part to the important subject of architectural provisions; and, secondly, almost as a matter of course, a devoted investigation into the general subject of insanity and its treatment. Hence, when the establishment is ready to be occupied by its future insane inmates, the superintendent is fully prepared to undertake its judicious supervision.

†Secondly, the government of an asylum as at present constituted, usually

* This essay was presented to the "Association of Medical Superintendents of American Institutions for the Insane," in June, 1850. It has been published in the "American Journal of Insanity."

† At their meeting, held in May, 1848, in the city of New York, the Association of Medical Superintendents of American Institutions for the Insane adopted the following preamble and resolution relative to the appointment of superintendents:—

WHEREAS, in the selection of Medical Superintendents to American Institutions for the Insane, it is important to choose men with the highest qualifications, both as respects professional acquirements and moral endowments, therefore

Resolved, That any attempt, in any part of this country, to select such officers through political bias, be deprecated by the association as a dangerous departure from that sound rule which should govern every appointing power, of seeking the best men, irrespective of every other consideration.

consists of a Board of Trustees, and a superintendent acting under their direction. I am of opinion, that all persons whatsoever, serving in the capacity of assistants to this officer, should be absolutely under his control as to dismissal from their situations; and that every such assistant should either be selected by the superintendent immediately, or from his nomination to the Board of Trustees; the superintendent being himself appointed by that body, and being liable to removal through their action. This last regulation I deem a sufficient check upon the superintendent, whether he be given the power of nomination or that of appointing. He is more accurately acquainted with the precise characteristics which are requisite in any subordinate than the Board of Trustees can possibly be; experience, observation, and self-interest teach him this, and on these grounds merely, it is far more likely that he will make a good choice than they. Then again, if an individual is found on trial not to possess the requisite qualifications, of which circumstance the superintendent alone is the proper judge, a new appointment can be effected without the exciting and prejudicial process of an examination into the matter on the part of a superior authority. Moreover, such bodies are unpaid, and to some extent irresponsible; and it is contrary to human nature to suppose, as an ordinary event, that they will take so lively an interest in the welfare of an establishment of the kind as is evinced by most superintendents; hence they would be more easily induced, through the persuasions of others, to give their votes for persons not exactly qualified for particular posts in an asylum. Whereas this is very different with a superintendent. For it is pretty certain that the success of an institution for the insane depends greatly upon the character of this officer's subordinate auxiliaries, and therefore it is to his direct advantage to choose those assistants that will faithfully and efficiently perform their several duties. There is, indeed, a sure guarantee of proper management here, in the fact that a failure of success is, in the chief officer, a failure in the mode of earning his livelihood and supporting his family; and the risk in connexion with incapable subordinates is of extreme importance to him. So far as the power of dismissal is concerned, it is manifest to all who have had charge of the insane, that there are officers and attendants whose deficiencies cannot be well explained in words, or fully demonstrated and pointed out for the decision of trustees, and yet an institution may suffer grievously from the presence of such individuals. Moreover, no general system can be fully carried out, unless each member of the official corps co-operates fully with him who has the responsibility alike of both the medical and the domestic arrangements of an asylum; and it is in vain to expect so desirable an union of effort, where subordinates look to a higher power than the superintendent.*

* "In the French establishments, the visiting physician is invested with supreme power over the medical and moral management, appoints the attendants and some of the subordinate officers."—I. Ray, M.D., Superintendent of the Butler Hospital for the Insane, at Providence, Rhode Island. Whilst speaking of the action of trustees in England, in a policy the reverse of that just mentioned, Dr. Ray observes: "In the exercise of the appointing power, a favour is dispensed and an obligation is incurred, that may redound in some way to the benefit of the obliging party. True, the helping of a servant to a place would seem to be a privilege hardly corresponding to the dignity of the class who exercise it, but this consideration is allowed to have but little influence, when a dependent may be placed beyond the want of future assistance, or a powerful friend obliged. At the very least, the simple abstract love of patronage is gratified, and that is something to those who may never have had the opportunity before."

"There is one (topic), however, to which I will call your attention, because it lies at the foundation of a successful, permanent organization, and is, in my opinion, the only safe basis upon which a lunatic hospital can be organized: which is, that the superintendent should be a physician, with the entire control of all departments of the institution, domestic as well as medical (of course under the direction of a board of trustees). The superintendent should have this control, because unity of action, arising

Comfortable accommodations, liberal diet, and warm clothing, now constitute established, settled means of treatment in insanity. These are forms of expenditure that *must* be incurred, and little difficulty is usually found in obtaining them. But if there be any progress in the treatment of this disease, if there be any measure radiant with future promise, it is discoverable in the agency of the influence over the minds of the insane, that results from the exertions of teachers and other additional companions appointed for their benefit. It is here, therefore, that the battle is to be fought for an increased outlay in our lunatic asylums. But certainly we should seek that medium in this regard, by which we can obtain the largest available force of such agents at the least expense. Here, too, the simple though important doctrine of political economy should always be held in due consideration, to the effect, that in every department of public business the people should be served by individuals fully qualified for the discharge of their official duties, and that an expenditure should be allowed, requisite for securing the services of such persons; but that any amount beyond this must be considered as wasteful extravagance. The more closely indeed we adhere to the rule thus enunciated, the greater will be the number of our assistants in so material a line of endeavour. Legislative bodies may rest assured, that never will the combined advantages of proper treatment and minimum expenditure be fully attained, until the superintendent has the control of his subordinates, for which I have contended above. Under the old system of organization, where the steward and matron, and a few other officers and attendants of very definite functions, formed the entire body of agents assisting the superintendent, the exact degree of compensation involved in obtaining the services of persons capable of filling a particular office, was more easily assignable and capable of recognition. But when, in addition, we have teachers and companions, and, in fine, a much greater variety of capabilities in demand, to procure an entire set of officials, all of the requisite character, becomes difficult, and especially so in conjunction with motives of economy. Owing to his practical experience, a superintendent alone can determine with accuracy the comparative facility in obtaining talent or natural ability suitable to each post in an asylum; so as measurably to graduate the salaries according to this scale. It is a simple matter for a subordinate officer, apparently faithful to his trust, to represent to a Board of Trustees the onerous nature of his duties, and, by such a course, to induce a useless increase of salary. But the superintendent is alone capable of judging properly, first, the fidelity and value

from unity of views and sentiments, is the chief element of system. System cannot exist if the action comes from more than one source; and without system, there cannot be success. Upon him should responsibility rest, as under any arrangement in public estimation it will rest; he should have the entire control; his spirit, his plans, his system, should pervade the institution; from him all power should proceed, that consequently when he delegates to others the duties of the several departments, those duties should be performed in accordance with that system, however much the opinions of subordinate officers may differ from his. The more entire the control, the greater safety in delegating to others those subordinate duties; and this truth is well illustrated in the best-arranged and the best-managed hospital in this county (Worcester), where the superintendent (nominating the steward to the board and appointing all the officers) having the entire sway, derives the greatest assistance from, and reposes the utmost confidence in, his subordinate officers. They adopt his system and carry it out. There is no clashing of conflicting opinions; there can be none where one system pervades the whole. This principle is adopted in all the departments of associated efforts in society, and is nowhere more essential to successful results. The guards against the possible abuse of this concentration of power in one individual, are to be found in the frequent and rigid inspection by the trustees, of every department and room in the hospital, and the free access and invited scrutiny of an intelligent community. Under such an oversight, it is not possible, in this country, for any erroneous practices to be kept long concealed from the public eye."—*Dr. John S. Butler.*

of any particular assistant; and, secondly, the amount of pay which he should receive, from the comparative facility of filling the situation which he holds. Let the superintendent but have the power of appointment and dismissal, and he is perfectly aware when he should discharge an official who is dissatisfied, and when, on the contrary, he should recommend an increase of salary to one whose ability could not easily be found in another.*

The third point to which I would call the attention of the Association, is the question whether it is advisable to have a visiting or a consulting physician, instead of the American plan of dispensing with such an official.† I think this strict exclusion to be at least a doubtful policy. Now, where, as in some few asylums in this country, and in a large number on the other side of the Atlantic, the visiting has superior authority over the resident physician, no doubt, in adopting the plan, we should be establishing one inferior in merit to that in vogue amongst us—however well the former may have succeeded in particular institutions of the United States. But the arrangement which I would propose is, that the superintendent should have the nomination or appointment of a consulting physician, who would thus, like the other officers, be considered as an auxiliary subordinate. This officer might or might not be recompensed pecuniarily. Whilst in private practice, scarcely a person becomes dangerously ill, but that their friends view it as necessary to call in more than one physician, should not the same rule apply, if not to insanity as a disease, at least to formidable maladies, to which the insane are equally as liable as are those of sound mind? Were there any power given to such an officer which would conflict with the authority of the superintendent of an asylum, I should be clearly against so undesirable an arrangement; but under that which I propose, nothing of the kind is admissible. The officer in question is to be selected by the superintendent, and consulted by him when deemed necessary. If it be alleged that this arrangement endangers the growth of cabals and intrigues against the superintendent, the answer is simply, that physicians are found in all Boards of Trustees—in other words, occupying a position superior in point of fact to that of this officer; and yet these gentlemen are oftener of service to him than the reverse. Apart from the old adage as to the increased wisdom in numbers, an important advantage under the plan pursued, would be attained by giving satisfactory testimony to the friends of patients as to the care taken of their afflicted relatives; for they thus perceive that these unfortunates have not only the benefit arising from the enlarged experience of the superintendent of an asylum as to mental derangement, in which particular he almost necessarily excels other medical men, but also that on the occurrence of bodily disease, they would have attendance of a character not to be surpassed at home. A second advantage in this regard consists in the circumstance, that in many instances the diseases prevalent in the vicinity of an asylum would be known by a consulting physician, who, as a general rule, would be probably a physician in practice, and thus additional light might be constantly thrown on the physical diseases from time to time attacking the inmates of an institution in an endemic or epidemic form. Again, the false reports and rumours occasionally affecting the reputation of an asylum for the insane, could not receive a more useful contradiction than would come from the lips of a physician in active practice. In the third place, as to many difficulties, not only with regard to treatment, but as to general management also, an influential physician, by his counsel, and by his testimony out of doors, might often lighten the weighty load of responsibility to which every

* As regards the offices of steward and matron, I may remark, *par parenthèse*, that I should consider their abolishment a desirable innovation.

† "In such a case, we cannot doubt that the frequent visits of an intelligent physician in general practice may be, in a variety of ways, of the greatest advantage."—*Samuel Luke*.

superintendent is subject; and suggestions of improvement would not unfrequently occur to such an officer, which might escape even the experienced mind of a superintendent, burdened as he must ever be by a multiplicity of cares and multifarious duties.

Moreover, and lastly, by filling the office of consulting physician, instead of that of superintendent, lives valuable to the cause of the suffering insane might be prolonged for years, which, under the toils of a superintendency, would be quenched in darkness, after shedding for a short time a brief and transitory, though effulgent light. In this connexion, I trust it will not be deemed amiss to offer one humble tribute of admiration to the memory of the lamented Brigham—from the south, to add one more to the many voices which have uttered their praise of his exalted merits. If this eminent labourer in the field of benevolence, after establishing on a permanent basis the important charity over which he so ably presided, had then acted in its behalf, under a less confining class of duties—a situation which would but have given more scope for his sensible suggestions and his fearless reflections, we might still, perchance, have had the light of his intelligence amongst us. He might have been a blessing for years to the great institution in whose service he died, as the martyrs of old offered their corruptible bodies for an incorruptible faith. He might have been a blessing for years to the insane in the populous commonwealth which chose him from afar to watch over the infancy of its noble asylum; to the insane in every State of this extensive and expanding Union, in whose cause his wise words will ever be as a beacon and light to those who would strive for their benefit; to the mentally afflicted, in fine, everywhere: for his was a most liberal sympathy, and was displayed for the good of all in every land, whose minds are darkened. But alas! he has gone from us for ever! Ours is the loss—his the exceeding reward. Whilst on this earth, he contended for the truth against all opposition and under all circumstances. He is now gone to that mighty Being who is the source and essence of truth. His spirit has passed to the bosom of the Eternal One, where the toil-worn and weary have an everlasting rest.

ON THE MEDICO-LEGAL QUESTION OF THE CONFINEMENT OF THE INSANE.

The subject on which I have been instructed to report, is somewhat peculiar, in the fact that it may be referred conjointly to two important professions—medicine and law. With regard to the considerations which appertain to the first half of the compound term, the indications for the confinement of persons labouring under insanity are manifest in a number of cases. Taking those which are clearly proved to belong to mental derangement, it is obvious, for example, that the medical treatment will be very uncertain, if the patient is allowed to go at large and to act according to his own fancy. In most instances, which at all approach the maniacal type, the individual then must be confined on his own account, for his own welfare. Here any scruples as to personal rights are necessarily to be waived, being dispelled by the advantages which accrue to the patient himself from placing him either in positive confinement, or under such a degree of control as will enable the physician to give suitable directions in the way of treatment, and further, to ensure the certainty of these directions being carried into effect. In this view, and under the present head, what is entitled moral treatment and the deductions in connexion with it, fall under the general division of medical treatment, as contradistinguished from the second question, or the considerations arising as to the legal necessity of restrictions on the insane. Upon the ground so stated, another principle for confining this class is found in the circumstance, that should the patient be left to indulge his peculiar morbid ideas and propensities unchecked, there is an increased intensity given to them; hence, one of the rules of moral management, to lessen the force of these, by exciting in the diseased mind new trains

of healthy thoughts and emotions; but to effect this, presupposes the exercise of a due degree of control over the individual. If for these and other reasons which might be mentioned, it be both justifiable, and judicious to confine a lunatic at home or elsewhere, so far as the benefit from medical supervision is concerned, the argument has the greater force when applied to isolation in an asylum, because here the means of effecting good results through the agency of treatment, are much more efficient and extensive than in general could be provided in any other situation. This conclusion has been so universal, that it scarcely seems necessary, either to enter into the comparative merits of treatment in asylums properly managed and constituted, and that pursued elsewhere, or, on the other hand, to discuss the essential difference as to various points between the two modes of action. Suffice it to state, that medical authorities in all civilized countries are agreed as to the superiority of asylums in this regard. And there is not a doubt on the score of humanity, that this greater efficacy altogether justifies the increased abridgment of liberty, which is sometimes the lot of the insane when thus situated. Whilst we consider, however, the lamentable condition of those confined in prisons, and also of some in confinement at home—whilst we view with feelings of compassion the utter misery attending the situation of a large number of these unfortunates in every land, we cannot but conclude that the natural liberty of a citizen is practically and in reality far more affected by a residence in localities like these, than when he dwells within the precincts of an asylum. In such an establishment, the mournful isolation of dark and loathsome dens, and the degradation of chains and stripes, are done away with entirely, and the hapless lunatic can still receive unrestrained, at least the mitigating influences of light and air. As respects the pauper insane, there are few who can be retained with their friends, compared with those to whom an asylum is suitable; but doubtless, in a medical aspect, there are amongst the wealthy patients, who might be advantageously managed in private. In this matter much reflection is necessary. For example, the number and character of the friends by whom an individual will be environed at home, are circumstances worthy of great attention; whether, in other words, they are in the first place persons of intelligence; and secondly, whether there will be such a loving devotion to his care as will eventuate either in his restoration to sanity, or in an amelioration of the morbid symptoms, and which will conduce to secure to him the greatest possible comfort of which he is at all susceptible. The particular features of the patient's disease, and the attendant circumstances generally analogous to those just mentioned, must govern our decision in each separate instance. On this subject, Dr. Jacobi acknowledges his readiness to admit, that many harmless, low-spirited, or hypochondriacal patients, regain their health more easily in the tranquillity of a domestic circle in the country, and under proper direction, than in any other position; the situation itself forming for individual cases of the kind the best remedial means. He afterwards comments on the difficulty of finding persons in private, willing and duly qualified to make the necessary exertions in behalf of those so afflicted. It should not be forgotten also, that a severance from familiar scenes, associations, and persons, is, according to universal experience, almost invariably a measure of advantage in the treatment of insanity.

Most asylums for the insane have not only to be looked upon as curative establishments, but also as adding much to the comfort of a large number of lunatics, who must be considered as decidedly incurable. It is a somewhat different question as to these, and as to individuals labouring under the early and curable stages of insanity. The question now concerns a permanent location: it is, whether a lunatic shall reside as a continuous mode of life in an institution for the insane, or shall spend his days elsewhere? Here the decision to which we ultimately arrive, should also be determined by the character of the patient's mental affection, and his condition as to friends and other modify-

ing circumstances. For if it is evident, that he would be far more comfortable in an asylum than at home, then the abstraction of his liberty in obtaining such a residence is perfectly justifiable. In a medical point of view, perhaps the order of cases causing the most perplexity, are those which fall into a line intermediate between mere eccentricity and positive insanity; these are not usually recent in their origin when first especially observed. What we have to determine is, indeed, whether we shall allow an individual to lead a sort of life most uncomfortable to himself, if we judge his feelings by those of other persons; or shall we bestow on him the comforts of an asylum, whilst at the same time he is averse to a procedure of the kind, has property for his support, inflicts no direct bodily injury on himself or others, and yet lives in a manner which must be painful to himself, or which renders him very annoying to his friends and connexions?

With regard to the second head of the subject that has been allotted to us for discussion, an eminent jurist of Massachusetts remarks, that the right to deprive an insane person of his liberty is found in the great law of humanity, which makes it necessary to confine those whose going at large would be dangerous to themselves or others. And he further observes, that if this were otherwise, we could not even venture to restrain an individual in the delirium of a fever, or in the case of a person seized with a convulsion. Again, as concerns the confinement of those labouring under forms of insanity, which lead them to destructive acts of various sorts, the necessity of this is so apparent, that we may take it for granted that there are regulations to this effect amongst all civilized nations. It is just as necessary to guard the public from being injured by these, as it is to protect them against the violence of real criminals. With regard to interdiction, it may be simply remarked, that under all legal systems, from the Roman jurisprudence down to the different codes of our own time, the grant of this power has been thought requisite. But who shall draw the line of distinction between a form of insanity which is dangerous, and one which is not so; "*definitio est periculosa*." When we peruse the history of various cases in works on insanity, we find that some of the most horrid acts have been committed by monomaniacs. So also as respects the comparative mental condition of individuals affected with moral insanity; is there any variety of mental disease, which oftener renders its victims unmanageable and exceedingly troublesome? Instances, too, are not uncommon, in which the demented have committed the most fearful outrages. Hence it is that jurists of this country have asserted it to be the *duty* of friends to take the necessary steps for providing a proper degree of restraint to those afflicted with mental derangement; and that in their judgment, although unsanctioned by any statutory provision, their confinement in an asylum is not consequently a violation of a natural right. Hence, also, in an article published during the present year, we find Dr. Winslow declaring that no person evidently deranged in mind, should be permitted to go at large, without some degree of surveillance; and that society must be protected against the insane, and the insane *against themselves*.*

Forsaking, temporarily, the general subject of the confinement of the insane, it seems necessary to touch here on two subordinate points, relative to the same topic. The first of these has reference to that psychological condition entitled a lucid interval. There are many cases of insanity which are periodical in their character; in a ratio with the approach of a patient's mind to complete insanity in these intervals, and with their comparative duration, will he have more or less the right to demand a withdrawal of interdiction and isolation? Each instance, we think, should be determined by its own essential characteristics. And we ought, therefore, to lean to one side or the other; that is,

* *Journal of Psychological Medicine*, Oct. 1850; Art., "The Trial of Pate" (by the Editor).

forbid or allow restriction, in accordance with the degree of the lucidity, its duration, and also the wishes of the individual, and his prospects of self-support when he shall be sole master of his own actions. Difficulties may certainly occur here, but practical good sense should be permitted to disentangle our doubts, and enable us to arrive at a proper conclusion.

A second point of consideration, is the length of time that a patient should remain in an asylum after convalescence has appeared. Now it is manifest that in such a retention we are temporarily confining a man who is sane. This we think, however, entirely justifiable, inasmuch as nearly all writers on insanity agree as to the necessity of occupying due time in the consolidation of a cure; the reports of various institutions for the insane exhibit this fact very plainly. And we should not hesitate in thus restraining a patient, merely to gratify the ultraism of fanatical excitement and visionary theories of liberty. Moreover, we think that a just regard to the safety of the public or of the patient himself, authorizes the retention for a longer period than usual of individuals, who, whilst insane, have committed homicide or attempted self-destruction; for the risk involved in permitting a person to go at large, in whom propensities so dangerous might be still latent, is sufficiently great to require a conviction approaching certainty on the part of a superintendent, that the mental disturbance is removed at the time of discharge.

Having assigned the reasons why a person when insane should be subject to confinement, it remains for us to look somewhat in a contrary direction, by turning the view to abuses which have attended the exercise of this power of isolation. Individuals merely eccentric, or altogether unaffected in mind, have been incarcerated, not for their own good nor for the safety of the public, but only with the pretence of insanity to carry out evil designs on their property or to serve some other unholy purpose. This has been an occasional result in many foreign countries, though we have scarcely heard of any cases of the kind in the United States. As concerns American asylums, the very few supposed examples, in which a portion of the public have deemed otherwise, in our opinion were wholly fallacious.

There are, then, two purposes to aim at, in instituting legal provisions for the confinement of the insane. First, that the advantages inuring to hospital treatment, and particularly as regards recent cases, should be fostered, as far as possible, by a wise legislation. And secondly, that all abuses should be subject to correction, by the invariable establishment of a watchful and entirely paramount supervision—a supervision by its characteristic features removed to as great an extent as is feasible in human affairs, from the probable action of selfish motives. With regard to the first of these principles, circumstances must so vary its action, that we have no space to enter into details. For example, the means of support possessed by an asylum, or by the patients therein, the extent of a country, the reputation of an institution, and other modifying influences. On the whole, it may be remarked, that whilst the laws, in appointing an authority to judge of a person's sanity and take the responsibility of confining him, should be such as will ensure the deliberate action of an unbiassed tribunal, at the same time they should never be so complicated or of a nature that would create difficulties in sending an insane patient to an hospital, at an early stage of his mental disease. Perhaps some legislation is needed here in most communities; for it is a common cause of complaint with medical superintendents, that the insane are but too often kept back from asylums until they have become wholly incurable. Respecting the prevention of false imprisonment, the great measure for this end is embodied in an aphorism of Millingen, to the effect that "All lunatic asylums, whether public or private, should be placed under the immediate care of government." With regard to the steps made necessary for restrictions on the insane elsewhere than in an asylum, a carefully devised local tribunal is not an entirely sufficient safeguard against corruption; there should also be some central authority emanating from the government of a State, and having wide powers of investigation.

We cannot avoid thinking, moreover, that the free entrance of visitors into asylums has an excellent tendency in relation to their custodial functions. Under this regulation, in instances in which the reputation of an institution is jeopardied, pre-conceived notions on the part of communities, or an entire want of previous reflection, are not so liable to exert a pernicious effect. If, for example, the accusation is raised that sane persons are confined in the demesnes of a hospital, there will be most probably a number of visitors who can contradict such a report. We waive here the question as to the moral influence upon the insane from the introduction of visitors, but would simply remark, that our opinions on this point have been heretofore expressed, and that our views and experience are directly opposite to those of most of our medical brethren.

In conclusion, we may venture to observe, that although as to the confinement of persons in asylums, public opinion is often in the wrong, yet caution is requisite from the managers of these charities, lest an institution should be placed here in a false position. If the opinion and action of the public are evinced decidedly against the confinement of an individual as being an unfit subject for the process, although to those experienced in the symptoms of insanity the reverse may seem clear; admitting also, that the legal right of restriction is fully in the hands of those having charge of an asylum, it is still, to say the least, doubtful whether this right should be exercised. The matter evidently stands thus: so far as the welfare of the institution is concerned, it makes no difference whether the supposed lunatic is committed to its care or not; but by insisting on the use of a lawful power, it inevitably gives colour to the accusation of improper motives. In our judgment it would be better to yield to the wishes of the community, at the same time making a public protest against the erroneous train of ideas by which they are deceived. This we believe, too, is the proper course, not only to avoid the false imputation to which we have referred, but for the especial reason in addition, that in a republic, respect is always due to the opinions of the people.

CRIME AND ITS PUNISHMENT IN THE UNITED STATES.

THE Inspector of Prisons reports the following ratio of crime to population :— "New York, 1 in 1608; Massachusetts, 1 in 2232; Connecticut, 1 in 1700; Maine, 1 in 5374; New Hampshire, 1 in 4376; Virginia, 1 in 6856; Kentucky, 1 in 7238; Maryland, 1 in 1336; Pennsylvania, 1 in 4022; New Jersey, 1 in 2010." Crime is more severely punished in Virginia than in any of the other States enumerated. The reformation of the offender can only be effected by the enlightenment and culture of his religious, moral, and intellectual faculties, and by preserving and improving his physical powers. An inspection of State prisons will satisfy any one that these indications are not fulfilled by long sentences. Most men who have been confined for long terms are distinguished by a stupor of both the moral and intellectual faculties; they become mere machines; long disused to the exercise of their own volitions, and subjected to an unvarying routine of occupations and of objects, the noblest powers of their natures fall into decay, while the mere instinctive and animal faculties are those which remain in exercise. Even hope dies within them; and not unfrequently insanity in its most frightful forms completes the wreck of all their faculties. Reformation is then out of the question, and the power of providing for their own livelihood is for ever destroyed. Those who are most familiar with the history of criminals know that pecuniary necessities are the chief springs of crime. Even those who enter the path of criminality through the portals of the grog-shop, the brothel, or the gambling-house, are

constrained to adopt this course, because those agencies have deprived them of all other means of providing for their wants. Prisoners are punished in the following extraordinary manner:—"The form of the machine is that of the common stocks, with a reservoir of water above it, having a head of fifty-four inches, measuring from the surface of the water to the perforated plate at the end of the discharging tube. The offender, being stripped of his clothing, is placed in a sitting posture in the stocks, with his feet and hands securely fastened, and his head contained in a sort of hopper, the bottom of which encircles his neck so closely that the water will not run off as fast as it can be let on, the water being under the control of the keeper by means of a cord attached to a valve in the bottom of the reservoir. From the perforated plate the water falls about eighteen inches, when it strikes the head of the convict immovably fixed, thence passing over the whole surface of the body. When the reservoir is full, the force of the blow upon the head is nearly equal to a column of water seventy-two inches in height. This force is somewhat reduced by the intervention of the perforated plate, a late modification in the instrument. To the mechanic who calculates the influence of mere matter upon matter, the power of this column of water must possess considerable importance. But to the physiologist, who can alone judge with any degree of correctness of the influence of a stream (generally at 32 degrees Fahrenheit) falling upon the head, and thence covering the whole body, the suffering induced and danger incurred must appear momentous in the extreme. The kind of punishment next in frequency inflicted in this prison (Auburn) is yoking. The yoke is formed of a flat bar of iron four or five inches wide, and from five to six feet in length, with a moveable staple in the centre to encircle the neck, and a small one at each end to surround the wrists. All these staples are so arranged, that by turning screws on their protruding ends, on the back of the iron bar, they can be tightened to any degree deemed expedient. The weight of the lightest yoke is thirty-four pounds avoirdupois; and some of them, I believe, weigh forty. The principal objection to this punishment is, that the yoke bears too heavily on the cervical vertebræ. Most persons are aware of the unpleasant, and, in fact, insupportable, sensation produced even by the weight of the unbuttoned coat and vest pressing upon the back of the neck. Under the weight of this instrument the convict cannot retain the erect posture even for a few minutes consecutively, but is forced to bend forward in his continual writhings, which brings the entire weight of the bar upon the lower cervical vertebræ. The arms are generally stretched to their full length, and from steady tension of the nerves are benumbed, while the hands turn purple, and at times become much swollen. In several instances I have placed my fingers beneath the yoke, and found the pressure so great that it was actually painful to me."

EDUCATION OF CRIMINAL CHILDREN.*

THE subjoined observations are based on information collected for the Belgian Government by M. Edouard Ducpetiaux, showing the unhappy relationship which exists between the workhouse and the gaol, and the constant dependence of at least 50,000 children and young persons under sixteen upon the public guardianship in the one or the other; the recent experience of the continent was interrogated for better systems of management than the lamentable results

* "On the Employment of Farm Schools in the Education and Reformation of Pauper and Criminal Children on the Continent," read by the late Joseph Fletcher, Esq., Hon. Sec. to the Statistical Society, before the Society, Feb. 16.

which we now realize in regard to these young people give us any assurance that we are pursuing.

"The economy of the farm has of late years been variously employed. 1. In free colonies or farm workhouses (*fermes hospices*), which have failed in Holland, but succeeded in Belgium. 2. In colonies for the repression of adult mendicancy and vagabondage, which have universally failed. 3. In agricultural reform schools, refugees, and home colonies for young paupers, mendicants, vagabonds, orphans and foundlings, deserted children, and those who are contaminated with vice, or in moral danger (moral orphans, as they are expressively called), the number of which establishments is large and constantly on the increase in Germany, Switzerland, Holland, France, and Belgium, while they are but now struggling into permanent existence in England. 4. Agricultural penitentiaries, or correctional and reformatory schools, directed exclusively to the training of children and young persons actually found guilty, or acquitted only as having acted without knowledge, but detained for the purpose of being brought up under wholesome discipline to a stated age. The economical position of all such institutions with reference to society at large, was illustrated by that of the *fermes hospices* of Flanders, which are only now coming into general adoption as farm workhouses for paupers of all ages, generally under the management of *sœurs de charité*, and for the most part springing out of the charitable efforts of individuals and the public to rescue these unfortunates of all ages from being sold at auction, by their several communes, to any bidder who, for a stated term, will take and make what use he can of them; each being knocked down, amidst the coarsest ribaldry, to that competitor who required least from the commune for his or her maintenance; and the young being thus often brought up to professional mendicancy, or worse vices, endured many of the miseries and entailed many of the curses of slavery. In the department of Thielt Roulers, in West Flanders, there were, on the 1st of January, 1851, sixteen of these *fermes hospices*, containing 1052 indigent persons, besides 71 "religious" persons in the management of ten of them, and 22 lay persons in the management of ten also; four having both lay and religious managers. The average daily cost of maintenance to the commune for each poor person was 20 cents. or 2d. per day.

"The first step out of the horrible system of pauper slavery above described, once common in its principal features to the whole continent, is, however, due to the inexhaustible charity of the Protestant Cantons of Switzerland; the first among the men of piety and refinement who could no longer endure to regard it with self-sacrifice being Jean Henry Pestalozzi, of Zurich, who gave his whole life and fortune to efforts which produced great changes in the views entertained of education generally. His work, recommenced with zeal by De Fellenberg, at Hofwyl, in 1799, and still continued by his disciple, Vishli, at Kreutzingen, near Constance, has been imitated throughout Switzerland in farm schools, chiefly deriving their origin, like the former *hospices* of Flanders, from private beneficence and public subscription, seconded by contributions from the communes and the cantonal governments. These are commonly for children of both sexes, from 30 to 50 and upwards in number, economically managed on the plan of an enlarged peasant family, by a married couple, styled respectively 'housefather' and 'housemother,' the former of whom is their leader in industry and their instructor in school. Having been carefully selected and commonly educated for the duties of this station by the Christian originators of each institution, simplicity, piety, order, and happiness appeared to reign in these institutions, and from 1837 to 1840 the Swiss Society of Public Utility commissioned Mr. Kinatli to study the best means of applying this happy discipline also to reformatory purposes. This object he realized in the latter year, in the establishment of the Reformatory School at Bachtaten, the most peculiar features of which are its being for boys only, and its employment of an enlarged proportion of moral agency by the subdivision of the young people into

smaller families, each under its own assistant 'housefather.' The mean cost of maintenance and management in thirteen of these Swiss establishments was found to be 185 francs per annum, or 50 cents (5d.) per day.

"Many of the States of Germany have nearly kept pace with Switzerland in these efforts to rescue from destruction the children thrown physically or morally destitute upon society; and, in Wurtemberg especially, the reform schools date from 1828, and in 1841 amounted to twenty, containing 388 male and 675 female children. They now form a complete system under the guardianship of the State, but with a tendency to overburthen each family with numbers, the average in 1844 having increased to 56 children, of whom 33 were boys and 23 girls, supported at an average cost of 60 florins (of 2s.) per annum. But the most remarkable German institution of this kind is the reformatory school of Hamburg, called the Kautren Haus, at Hom, under the management of M. Wichern, and from the advanced views of which Mr. Kinatli derived the details of his plan for the organisation of Bachtaten. The 'house-fathers' here form a Protestant religious fraternity of normal school students for similar labours and for missionary work, but it appears to be almost impossible to obtain the average cost of its 86 children, with their 14 *employés*, because of the great amount of gifts in kind, but on the sums actually brought to account it is averaged by the former only, no less than 300 francs per annum, while at the Prussian establishment at Dusselthal, with 178 children, it is 180 francs.

"In France and in Algeria there appear now to be 41 new colonies for children and young persons, classed as follows:—

	No.	Average of Land.	No. of Inmates.	Average daily cost of maintenance.
Penitentiary colonies founded and directed by private individuals . . .	12	2,988	1,933	1 <i>fr.</i> 18 <i>c.</i>
Penitentiary colonies directed by the State	4	1,052	384	0 77
Colonies of orphan, foundling, deserted, and pauper children . . .	25	8,375	1,582	0 81
Totals	41	12,415	3,899	0 84 <i>fr.</i> 11

"If we include in the average charge per head, the interest of capital and the rent of land, the average cost of these institutions per head per day, may be analysed as follows:—

Number of Colonies averaged.	Food.	Clothing, Bedding, Sicknesses.	Establishm., Instruction, & Miscel.	Interest of Capital and Rent.	Gross average.
12 Penitentiary colonies founded and directed by individuals . . .	41 <i>c.</i>	27 <i>c.</i>	80 <i>c.</i>	30 <i>c.</i>	1 <i>fr.</i> 28 <i>c.</i>
4 Penitentiary colonies directed by the State	47		30	24	1 10
12 Colonies of orphan, foundling, deserted, and pauper children . . .	42	19	21	28	1 10
General results	42	22	26	28	1 18

"Of these 41 establishments, 18 are directed by laymen, 15 by ecclesiastics or religious bodies, and 8 are under a mixed direction, partly lay and partly religious. Three of the establishments are specially devoted to Protestant children, and two of these receive children of both sexes, but all the rest are exclusively for boys. There is, however, a special establishment for young girls under confinement near to Montpellier, under the name of the Solitude of Nazareth, and managed by M. C. Abbé Comal.

"The oldest of these colonies, that of Neuhoof, dates from 1825, but 33 were founded at the much later period—from 1837 to 1848—and 7 have been

brought into existence or recognised since the revolution of February, 1848. Since this latter period, on the other hand, three colonies have been suppressed."

Postponing to a future occasion an analysis of the experience of France, Belgium, and England, in the application of farm schools to the reformation of criminal youth, Mr. Fletcher then restricted attention to their employment in these countries in the training of pauper and morally endangered children, arriving at these conclusions:—

1. That the farm schools of the continent, applied to education for the *prevention* of crime, hold a social position precisely analogous to that of our own workhouse schools.

2. That for the children in those schools, as in those of the continent, a training in vigorous, rural industry, and close domestic economy, by means of farm schools, conducted on the principles of a Christian family, will yield the greatest attainable moral vigour, with the least amount of indolence and self-deception.

3. That by far the greater number of the present workhouse schools are now producing converse results; and that we have no experience strongly favourable to regimenting and warding the children in large district palaces, however pleasing their mechanism, while we have ample testimony in favour of the farm school system.

4. That the children at a proper farm school, required to work steadily at all its out-door and domestic duties, as well as their own mental cultivation, will certainly not cost more to the public, if so much, as under the present system, or that of the contemplated district asylum, while the saving in their improved conduct for the future would be very great; and,

5. That to have good preventive schools for the training of the pauper children is the great practical step towards obtaining good *reformatory* schools, for the retraining of criminal children, if this is ever to be realized, on principles well understood and economically applied.

LEGAL CASES IN LUNACY

AND IN CHANCERY, INVOLVING QUESTIONS OF INSANITY, ARGUED BEFORE THE LORD CHANCELLOR, THE LORDS JUSTICES OF THE COURT OF APPEAL, AND THE FULL COURT OF APPEAL IN CHANCERY.

*Reported exclusively for "The Journal of Psychological Medicine and Mental Pathology," by S. VALLIS BONE, Esq., of Lincoln's Inn, Barrister-at-law.**

(Before the LORD CHANCELLOR, November 4th, 1851.)

PRICE v. BERRINGTON.

Conveyance by a Lunatic supported notwithstanding the Lunacy.

In 1809, a sale and conveyance of landed property was made for a particular sum of money. In 1836, a bill was filed on his behalf, alleging him to have been of weak mind since 1789, seeking to set aside the sale. In 1837, he was found lunatic by inquisition, and that he had been so from 1796, and on an issue directed by the Court the jury found that he was of unsound mind when he executed the conveyance. The purchaser having been in possession of the property twenty-seven years,

* These cases commence with the beginning of the legal year, 1851—1852, namely, Michaelmas Term, 1851.

and there being no evidence to satisfy the Court that he was aware of the insanity of the vendor, and the allegations of fraud failing, the Court refused to set aside the sale on the mere ground that the verdict of the jury carried back the lunacy to a date before that of the conveyance.

THIS case came before the Court in the form of an appeal from a decree of the late Vice-Chancellor, Sir James Wigram. The facts necessary to be stated are shortly these:—The Rev. Charles Price, by deeds dated the 5th, 6th, and 7th of February, 1809, conveyed an estate called Tyr-y-Caed-Cae, in the county of Glamorgan, to Mr. Moggridge, absolutely for 2000*l*. The whole purchase-money was not then paid; but in 1822 the balance was paid, and then, by deed dated the 19th of March, Mr. Charles Price, as “the eldest son and heir apparent of the Rev. Charles Price,” confirmed the sale and released all his right and title to the estate. In 1836, a bill was filed by the Rev. Charles Price, “a person of weak mind,” by Charles Price, his eldest son and heir-at-law and next friend, against the devisees under the executor of the will of Mr. Moggridge, who was dead, which, after alleging that the Rev. Mr. Price, the plaintiff, had, from imbecility of mind, been unable to manage his affairs ever since 1789; that Mr. Moggridge, knowing this incapacity, had fraudulently induced him to execute the conveyance; that the price was inadequate, and, moreover, that no more than 600*l*. was paid at the time, which was applied in discharge of a mortgage; prayed the re-conveyance of the estate and an account of the rents, the plaintiff offering to repay what had been paid for the purchase. The answers stated the payment of the whole consideration, part at the date of the transaction, and the remainder when the son executed the release; and the defendants said they believed the plaintiff had been subject to occasional temporary fits of insanity, but with lucid intervals, during which he was fully competent to manage his affairs, and that he was so at the date of the conveyance.

In the month of May, 1837, a commission of lunacy was issued, and on the 22nd of the same month a verdict was returned that the plaintiff was “a lunatic without lucid intervals, and was not sufficient for the government of himself, his messuages, lands, tenements, goods, and chattels, and that he had been in the said state of lunacy from the 1st day of June, 1796.” After the return of the inquisition, Mr. William Price, the younger, was appointed committee of the person, and Mr. Charles Price, the eldest son, the committee of the estate of the lunatic.

After the finding of the lunacy, the proceedings in chancery were prosecuted by a supplemental bill filed in July, 1837, and on the 30th of June, 1840, the late Master of the Rolls (Lord Langdale) directed an issue to try whether “the plaintiff, William Price, was of sound mind at the time when he executed the deeds of the 5th, 6th, and 7th of February, 1809.” Before the issue was tried, the lunatic died, in the month of January, 1841, and no further proceedings appear to have been taken until 1848, when Mr. Charles Price filed a bill of revivor and supplement; and by a decree, dated the 3rd of June, in the same year, the former order was directed to be executed, and the issue to be tried. The trial took place at Bristol Summer Assizes, 1848, when the jury found by their verdict that the Rev. Charles Price was not of sound mind when he executed the deeds in question. The cause came on upon further directions, and on the equity reserved, before Sir James Wigram, who made a decree, declaring in effect that the deeds were void, and directing certain accounts of the rents. From this decree both plaintiff and defendant appealed.

The SOLICITOR-GENERAL (SIR W. PAGE WOOD), MR. BETHELL, MR. HEADLAM, MR. W. M. JAMES, and MR. E. F. SMITH, were counsel for the several parties. On the point of the invalidity of the transaction on the ground

of the insanity of the vendor, the following cases were relied on, and were also referred to at the close of the judgment:—*Sergeson v. Sealey*, 2, Atkyns' Reports, 412; *Niell v. Morley*, 9, Vesey Junior's Reports, 478; and *Lewis v. Thomas*, 3, Hare's Reports, 26.

THE LORD CHANCELLOR (LORD TRURO).—This suit was instituted for a declaration of the Court that the conveyance of an estate in Wales was void on account of fraud and misrepresentation on the part of the purchaser, and on the ground that the vendor was a lunatic at the time he made the sale, and had been so from the year 1789. The plaintiff, who is the son of the vendor, placed his claim for relief on the ground of fraud under four different heads. The first was, that his father, the Rev. Mr. Price, had been insane for many years before the sale of the estate, in 1809, and that Mr. Moggridge (the purchaser) had full notice of that insanity; the second head was, that the consideration was invalid; the third was, that the value of the estate had been concealed from the vendor, inasmuch as there were valuable minerals underneath the soil, of which the purchaser had knowledge, and of which the vendor was ignorant at the time of the sale; and the fourth was, that violence and intimidation had been exercised on the vendor, at the instigation of Mr. Moggridge, to compel Mr. Price to execute the conveyance. Now, if these charges are proved, there can be no reason for refusing the plaintiff that relief which he prays. The estate called *Tyr-y-Caed-Cae* is situate in Glamorganshire, and the conveyance was dated in 1809. The bill to set it aside was filed in 1836, by Mr. Price, the vendor's eldest son, claiming to be his representative, and charging fraud only; but a commission of lunacy being issued in 1837, and the Rev. Mr. Price being pronounced under the finding of the jury to have been a lunatic since 1796, the plaintiff then filed a supplemental bill, introducing the additional ground of insanity. The cause came on for hearing before the late Master of the Rolls in 1840, and he directed an issue on the question of insanity. That issue was tried, and the result was in favour of the plaintiff; but the Rev. Mr. Price having died while the proceedings were going on, it was not until 1848 that relief was prayed on the strength of that issue. The cause then came before Vice-Chancellor Wigram, who declared the deed of conveyance to be void. The plaintiff appeals on the ground that there ought to have been a decree on the original bill and supplemental bill without the formality of an issue; and the defendant appeals against the order of the Master of the Rolls for the issue, as well as against the order made on further directions by the Vice-Chancellor, and asks to have the bill dismissed with costs. It was argued, in the first place, on the part of the plaintiff, that the lunacy being established by the finding of the jury, that fact, without any other, entitled him to a declaration for setting aside the conveyance. I do not feel now that I am bound to give that point much consideration, or to express any very decided opinion on it. The Vice-Chancellor Wigram did not rest his decision solely on the fact of the lunacy; and at any rate the case comes before me under totally different circumstances from those under which it was heard on further directions in the court below. I have had in substance the whole of the merits brought under my attention by the appeals, and after a careful consideration of all the merits, and the facts in evidence, I am of opinion that the orders of the court below were wrong, and that the bill ought to have been dismissed with costs. Looking at the evidence of facts, it does not appear that Mr. Moggridge, the purchaser (whose daughter is now the defendant), had ever been in the company of the Rev. Mr. Price, or knew anything of his habits. There is no proof that he knew anything of the lunacy, and the other allegations are either of no importance, or not proved. The bill alleges that Mr. Moggridge bribed the wife of Price to intimidate and coerce her husband. That case has failed in proof;—the allegation of undervalue has failed;—the non-payment of the consideration has failed;—and it, moreover, appears that the affairs of the

lunatic were at the time in such an embarrassed condition, that it was convenient for him to sell the property, there being a pressure for the payment of a mortgage debt secured upon the estate. There remains, then, the question of whether the mere fact of an insanity found twenty-seven years after the sale would invalidate that sale, there being no notice of the insanity brought home to the purchaser, and a failure of all proof of fraud; and that invalidity, too, is sought to be established against the children of Mr. Moggridge, who have been during the whole time in undisturbed possession and enjoyment of the estate. Such an interference with the rights of a *bonâ fide* purchaser would be contrary to principle, and manifestly unjust. The orders of the court below must be reversed, and the bill be dismissed with costs.

(Before the LORDS JUSTICES OF APPEAL. Dec. 3rd, 1851, and Jan. 15th, 1852.)

In the matter of Mr. JAMES WILLIAM LOVEDAY.

Costs of an Inquisition de lunatico inquirendo, which is superseded.

The jurisdiction of the Court of Chancery is one of administering the property of a lunatic, and if that is gone there remains nothing in the hands of those who exercise the jurisdiction to administer. The statute 6 Geo. IV. c. 53, "An Act for limiting the time within which Inquisitions in Lunacy, Idiocy, and *non compos mentis*, may be traversed; and for making other regulations in the proceedings pending a traverse," has made no difference, and the law stands as it was before in the case of a successful traverse of an inquisition. The Lord Chancellor or other persons acting in the jurisdiction of lunacy are not authorized either under the old jurisdiction or the 4th sec. of the statute to deal with the property of an alleged lunatic after the trial of a traverse finding such person not to be lunatic. The intention of the statute is to give the court power to act pending the traverse. For these reasons the court has no power to direct the payment of the costs of the inquisition out of the estate of the party found lunatic by inquisition, but declared not to be lunatic on a traverse, although the motives and conduct of the persons who sued out the commission are approved.

In this case, Mr. John Loveday and his wife, on the 21st of January, 1851, sued out a commission of lunacy against the wife's brother, Mr. James William Loveday, and the Commission was accordingly issued to inquire whether he was of unsound mind, and so as to be incapable of managing himself and his affairs, and if so from what time he had been so. The inquisition was held at the Shire Hall, at Gloucester, before Mr. Winslow, one of the Masters in Lunacy, on the 25th, 26th, 27th, and 28th of February, and 1st of March following, when the jury found that he was of unsound mind, and incompetent of managing himself and his affairs, and had been so from the 16th of November, 1850. On the 7th of April, Mr. James William Loveday presented a petition to the Lord Chancellor, praying leave to traverse the inquisition, and an order was made on the 28th of May, granting the prayer of the petition. The traverse came on for trial at the Gloucester assizes, on the 14th of August, 1851, and no evidence was given of the insanity of Mr. Loveday at any time, and it was admitted that he was then of sound mind, and by the consent of all parties the following verdict was returned—"The jury find that the defendant is now of sound mind, and sufficient for the government of himself, and his manors, messuages, lands, tenements, goods and chattels." After the finding of the original verdict, and on the 28th of

May, the same day when the petition of traverse was presented, the custody of Mr. Loveday and the care and management of his estate were granted to Mr. Charles Baker, for the time to come, and until further order, upon his giving such security as should be approved by the Attorney-General, such security to be perfected on or before the 10th of November following. This security was never perfected, and no further proceedings were taken under the order. After the traverse, Mr. Loveday presented a petition to the Lord Chancellor, which, after setting forth the abovementioned facts, and stating that Mr. Baker and Mr. John Loveday, or one of them, had then in his or their possession or control various title deeds and other property belonging to Mr. James William Loveday, taken possession of by Mr. John Loveday pending the proceedings, prayed that the commission and all proceedings taken under it might be superseded, and that Mr. Baker and Mr. John Loveday might deliver up to Mr. James William Loveday all deeds, documents, goods, and chattels of every description, in their or either of their possession, belonging to him. Before the traverse the Lord Chancellor had made an order directing the taxation of the costs of the commission and inquisition. As soon as the petition was opened it was stated by counsel, in answer to an inquiry from the court, that the supersedeas was not resisted.

The SOLICITOR-GENERAL (Sir WM. PAGE WOOD) and Mr. AMPHLETT, who appeared for Mr. John Loveday and Mr. Baker, were heard on the question of the costs of the commission. They asked that an addition might be made to the order for taxation, that the costs might be paid out of the estate of the traverser. They referred to the case of *ex parte Ferne*, 5 Vesey's Reports, page 832, to show the anxiety expressed by Lord Loughborough to give the costs to those who had properly conducted themselves in endeavouring to afford a supposed lunatic the protection of the Crown. They relied also on the 4th section of the statute 6 Geo. IV., chap. 53, as showing that the court had authority to interfere, and argued that as the Lord Chancellor had already made the order for taxation, which order went on to say that on the report thereon such order should be made as should appear just, the manifest intention was that all the reasonable costs should be paid. The property admitted to be in the hands of the respondents came to them in the course of the proceedings in lunacy, and it would be hard if they were obliged to deliver it up and be left to pay the expenses of the performance of a duty; the court would, therefore, at all events make the delivering up of that property only conditional and dependent on the payment of the costs by the traverser, even if it would not make an absolute order for payment of the costs, which would have the effect of a charge on the estate.*

Mr. ROLT and Mr. T. TERRELL contended, that as there had been a successful traverse of the inquisition the Court had no authority whatever to deal with the property of the traverser, Mr. James William Loveday. The authority to give costs depended on the authority the Court had to administer the property of a lunatic, and that gentleman being found not to be a lunatic the power of the Court did not exist. They relied on the case of *ex parte Ferne* before cited, and remarked on the principle laid down by Lord Loughborough being admitted by Lord Eldon in the case of *Sherwood v. Sanderson*, 19 Vesey's Reports, page 280. They insisted, that the statute which had been cited made no difference in such a case as the present, the inquisition having been successfully traversed, the legislature carefully confining the authority to deal with the estate to the interval between the finding on the

* The effect of such an order, if it had been made against Mr. J. W. Loveday, would have been to create a charge on his estate; for, by the statute 12 and 13 Victoria, chap. 106, all orders of the Lord Chancellor, &c., in matters of lunacy, whereby any sum of money or any costs shall be payable to any person, are to have the effect of judgments.

inquisition and the traverse. If the property of the traverser could be dealt with, why might not his person be controlled? As to the suggestion, that the order for the delivery being made conditional, that would be useless, for Mr. James William Loveday would only have to bring an action for the recovery of the property, and the respondents would have no defence.

Their lordships reserved their judgment, Lord Cranworth expressing a desire to consider the point of costs.

JANUARY 15th, 1852.

LORD JUSTICE LORD CRANWORTH now delivered the judgment of the Court, and, after detailing the facts of the case, proceeded thus:—The grant of the prayer of the petition, so far as it seeks a supersedeas of the commission, is a mere matter of course. A question then arises (which is the only question on which I wished for time) whether, as John Loveday, who sued out the commission, insisted, that it is a proper thing on the part of those who exercise jurisdiction in lunacy to give the costs of suing out that commission. That was disputed by James William Loveday, and that dispute gives rise to two questions: First, is there jurisdiction? and secondly, if there is, then is this a proper case in which to exercise it? With regard to the propriety of giving costs if there is jurisdiction to do so, that depends on the conduct of the parties suing out the commission; that is, how far they acted upon proper motives, and other questions of that description. Upon that, we had before us no information, and we took the opportunity of speaking to the Lord Chancellor upon the subject, from whom we heard that he was satisfied the parties had acted *bonâ fide*. Under the circumstances, therefore, if we have jurisdiction, we think the case a perfectly fit one in which to give the costs. Then arises the next and important question, whether we have jurisdiction. Now, there is no such jurisdiction independently of the recent statute 6 Geo. IV., c. 53. That was decided by Lord Loughborough in *ex parte Ferne*, in which case the form of the traverse was, that the party was a lunatic at the time of the marriage, and at the time of taking the inquisition. That was not the time in question. The time was that of the verdict being given, but the verdict was that at that time she was not a lunatic. The party not being then a lunatic, a supersedeas was of course. Then came the question of costs. The then Solicitor-General (Sir William Grant), and Mr. Fonblanque for the family of the Wraggs, pressed for costs, observing, that they had established a lunacy at the time. That appears to be a stronger case than the present, where it is left in doubt whether at the time of the inquisition the petitioner was a lunatic; the verdict found being simply that Mr. James William Loveday was not a lunatic at the time of the finding upon the traverse. In that case of *ex parte Ferne*, the Lord Chancellor (Lord Loughborough) wished to give the costs; but he said, "Where is the fund to pay the costs? Where the commission is superseded there can be no fund. There is a step to be taken, possession to be taken of the property. The traverse stops that. The lands and goods have never come into the hands of the Crown. The traverse is *de jure*. It is no favour. The parties apply by petition, stating that they are dissatisfied with the finding, and that stops the commission; there is no *amoveas manus* here. If I could act *cum imperio*, it is a very proper case; and the parties have entitled themselves to all the costs I can give them; but I have no jurisdiction."

That was the opinion of Lord Loughborough; and in a case of *Sherwood v. Sanderson*, the principle was fully recognised by Lord Eldon. In that case he was able to give costs, not *simpliciter* by virtue of the jurisdiction in lunacy, but because the property of the lunatic consisted in part of a fund in Chancery over which he had jurisdiction. He thought he might deal with

that fund for the purpose of giving costs; but he recognised the doctrine of Lord Loughborough in the previous case. The reason of the doctrine is, I apprehend, that the jurisdiction is one of administering the property of the lunatic, and if this is once gone, then nothing remains in the hands of those who exercise the jurisdiction to administer. That being the doctrine previous to the statute 6 Geo. IV., c. 53, then the question is, how it is altered by that statute? The statute is entitled "An Act for limiting the time within which inquisitions of lunacy, idiocy, and non compos mentis, may be traversed, and for making other regulations in the proceedings pending a traverse." Now, if the enactments of the statute are more extensive than indicated by this title, their effect would not be limited by the title, and the fact that the act is entitled only pending a traverse, would not be material. Let us see then, whether the enactments give any jurisdiction over the property of the lunatic, or the costs at any other time, except pending the traverse? If not, when once there is a verdict against the lunacy, the law would stand just as it did before the statute. Now, the 4th, which is the material section of the act, enacts, "that it shall be lawful for the Lord Chancellor, Lord Keeper, or Lords Commissioners, or other the person or persons entrusted as aforesaid, from time to time after the return of any such inquisition as aforesaid, and notwithstanding any petition or order which may be depending relating to a traverse of such inquisition, to make such orders relative to the custody and commitment of the person or persons, and commitment, management and application of the estates and effects of any person or persons who shall or may have been found lunatic, idiot, or of unsound mind by any such inquisition or inquisitions, as he or they shall think necessary or proper." Does that authorize the Lord Chancellor, or the persons acting in the jurisdiction of lunacy to deal with the property of the alleged lunatic after the trial of a traverse finding him not a lunatic? We have come to the conclusion (it being necessary to decide this, because if we had jurisdiction and could act, then we should be inclined to give costs) that we have no such authority given to us by the statute. There are two main grounds on which, after narrowly considering the words of the statute, we think that must be taken to be the result. We reject the words of the title to the statute, but we find exactly the same meaning in the words of the 4th section. The words are—"it shall be lawful for the Lord Chancellor," and so on, "from time to time after the return of any such inquisition, and notwithstanding any petition or order which may be depending relating to a traverse of such inquisition to make such orders relative" and so on, that is, notwithstanding any petition or other proceeding the Court may proceed. That is, you need not wait, as before the statute you must have waited, till the absolute establishment of the lunacy on the trial of the traverse, but you may, in the mean time, deal with the property on the foundation of the inquisition pending the further inquiry as to the lunacy. These considerations go far to show that the power given by the statute beyond what existed before was meant to be conferred only pending the trial of the matter upon the traverse. But that conclusion is made abundantly clear, when we see what a contrary construction must necessarily lead to. It must lead to this, that this jurisdiction is given to deal with the person as well as the property of the alleged lunatic. The enactment enables the court "to make such orders relative to the custody and commitment of the person and persons, and the commitment, management, and application of the estate and effects" of the alleged lunatic. These words are all of the same sentence, and are all governed by the words "it shall be lawful to make such orders." To what period then is it that that jurisdiction is meant to extend? Is it to the period up to the time when the non-lunacy is completely established, or is it to continue afterwards? If afterwards, it must be meant that the court should have power to deal with the person as well as the property; and on the other hand, if the court is not enabled to deal with the person, neither is it enabled to deal with the property.

The whole is one enactment, and the whole relates to one period. This, if agreed to, in effect is a *reductio ad absurdum*. We have come to the conclusion, therefore, that, not being authorized to act *cum imperio*, as Lord Loughborough expresses it in the case I have referred to, we can only deal with the case under the jurisdiction conferred by the statute, and that this statute does not authorize us to give any costs whatever. Then arises the other point which has been suggested, namely, that inasmuch as the party who was intended to be the committee and those who sued out the commission have property and papers in their possession belonging to the alleged lunatic, and the petition asks that they may be ordered to deliver up these, whether, although we could not make an order giving the costs, we could not make the delivery up of the property and documents conditional on payment of the costs. We have considered that, and we are of opinion, that we are not entitled to impose any such terms. The delivery up of the property and documents by the respondents, now that the alleged lunacy has been successfully traversed, is a matter of simple justice. The respondents took into their possession property and papers belonging to the alleged lunatic, because that was deemed necessary for his protection, by anticipation, as it were, upon the assumption that the result of the inquisition would be to establish a title to them in the respondents. In this state of things it was reasonable that they should hold them; but when, upon the result of the traverse, he is found not to be a lunatic, of course they are his own property, and he is entitled to the possession of them. Indeed, any attempt to impose such terms would be nugatory, and would leave the parties open to an action of trover, or other action, at the instance of the petitioner. The order, therefore, we make is an order to supersede the commission, and that the respondents deliver up the papers and property of the petitioner in their possession.

(Before the LORD CHANCELLOR, January 19th and 26th, 1852.)

PERCIVAL v. CANEY.

Answer of Lunatic's Committee.—Evidence of Lunatic's Administratrix.

A bill was filed against a lunatic, and her three committees praying relief in respect to a particular fund. The lunatic put in her answer by her committees. The lunatic then died, and one of her three committees, and the wives of the other two took out administration to her estate. The suit being revived against the five, as representatives, they put in an answer referring to the former answer of the committees, and stated that to be their defence. The Court held that the admissions in the answer of the three, as committees, could be read against the five as representatives. The wife of one of the committees was examined in the original cause, as a witness on behalf of the whole of the defendants thereto, and the Court decided, that the husband being a defendant, as committee, had no such interest in the lunatic's estate as would prevent his wife being examined on behalf of the lunatic, and that therefore her evidence was admissible.

A bill was filed by Mrs. Percival, in 1847, against Miss Caney, a lunatic, and against Mr. Stanton, Mr. Verrell, and Mr. Page, the committees of her estate, praying that it might be declared that a sum of £4300 3 per cent. consols, in Miss Caney's hands, was held in trust for the plaintiff, and that the same might be transferred to her. Miss Caney, by her committees, answered the bill, and also the amendments, in which certain facts were admitted. Mrs. Page, the wife of one of the committees, was examined in that cause as a witness for the defendants. In 1849, Miss Caney died, and administration to

her estate was granted to Mr. Stanton, one of the committees, and to Mrs. Verrell and Mrs. Page, the wives of the other two committees. A supplemental bill, and bill of revivor, was then filed against Mr. Stanton as an administrator, Mr. Verrell and his wife, and Mr. Page and his wife, the wives as administratrixes of the estate of Miss Caney. All these five then put in their answer, referring shortly to the former answer of the three, and craving leave to refer to the statements therein contained, and might be taken to have been restated in their present answer. At the rehearing of the cause upon appeal,

Mr. RUSSELL and Mr. W. WELLINGTON COOPER, counsel for the plaintiff, proposed to read the admissions in the answer of the three committees, Mr. Stanton, Mr. Verrell, and Mr. Page, to the original bill, against these three persons, and Mrs. Verrell and Mrs. Page, as the administrator and administratrixes of Miss Caney's estate.

Mr. MALINS, Mr. CHANDLESS and Mr. STEERE, for the defendants, objected to the admissions in the answer being read, on the ground that the answers of the committees could not have been read against the lunatic herself, and could not now be read against the representatives of her estate in the supplemental suit.

Mr. RUSSELL having replied,

The LORD CHANCELLOR (Lord Truro) said: I am of opinion that it is competent for the plaintiff to read the answer to the original bill. The question does not necessarily arise whether the answers could or could not have been read against the lunatic, in the original cause. The arguments of the plaintiff were mostly directed to the point, that whatever might have been the effect of the answer as against the lunatic in the original cause, the circumstances of the case had been changed by the answer in the revived suit. It is said that the defendants to the revived suit had virtually set out in their answer to that the whole of the answer of the three defendants (the committees) in their answer in their original suit; and that answer is found at length on the same record. I must therefore, look to ascertain who the defendants to the revived suit are, and I find that the answer in the first suit was by the three committees of the lunatic, and the defendants in the revived suit are the administrator and the two administratrixes of the lunatic, and the husbands of the two administratrixes, to the number of five persons. That answer is the answer of the five, and they there say the plaintiff is not entitled to the decree she asks, for the reasons set forth in the answer of three of us to the original bill; and they refer to the answer of the three to the former bill, and crave to have the same benefit of the defence therein made, as if the same had been fully re-stated in the answer of the five to the supplemental bill, and that it may be taken as if they have pleaded the same matter therein. The record, therefore, contains the answer of the five defendants in the revived suit, and I consider the effect of that answer to be pretty much the same, in effect, as if they had said that their defence was contained in a certain deed or written document, and that document had afterwards been properly proved in the cause. If the defendants in the revived cause have so referred in their answer to all the matters set forth in the answer of the committees to the original bill, as to make such matters a part of their answer in the revived cause, then the plaintiff is entitled to read an admission from the first answer against the five defendants; and I am of opinion that they have done so, and that the plaintiff is entitled to read the committees' answer. It is not a question, whether the plaintiff can read the answers of the committees of the lunatic against the lunatic, but whether, where the defendants to a bill of revivor say their defence is contained in an answer of some of them to the original suit, and pray the benefit of the statements there made as if they had repeated them, the plaintiff has a right to read the first answer against them.

The admissions were then read, and the cause proceeded.

JANUARY 26TH.

Mr. MALINS, Mr. CHANDLESS, and Mr. STEERE, offered to read, as part of the defendant's evidence, the depositions of Mrs. Mary Anne Page, the wife of Mr. Page, he being one of the committees, and she one of the administratrixes, of the lunatic's estate. These depositions were taken in the original suit on behalf of the three committees, and on the hearing in the court below, the Vice-Chancellor (now Lord Justice) Knight Bruce had refused to receive the evidence.

Mr. RUSSELL and Mr. W. WELLINGTON COOPER contended that the evidence of Mrs. Page was inadmissible, she being the wife of a defendant. Mr. Page, himself, could not have been examined, having a material interest, inasmuch as he was liable to the costs.

Mr. MALINS, in reply, argued that the evidence was admissible, as that of a defendant under the provisions of Lord Denman's Act, 6 and 7 Vict. c. 85 : and that she was so also under the new Law of Evidence Act, 14 and 15 Vict. c. 99.

The LORD CHANCELLOR.—On the best consideration that I can give to this case, I think the evidence of Mrs. Page is admissible. The matter has been examined with great care in the argument, and it deserved to be so, and gives rise to questions of a peculiar kind. The first point is, whether Page, the husband, one of the committees, could have been examined. Now, it is one thing, whether a party may be a witness, and another thing whether he has pursued the proper course for enabling his evidence to be taken. In the case of *Burton v. Langham*, 5 C. B. Rep., I examined all the cases in reference to committees of lunatics, and came to the conclusion that a committee takes no estate or interest in the lunatic's property under the grant from the crown. I think, therefore, that in the present case the three committees had no interest in the estate. The bill seeks to charge the lunatic's estate, and contains nothing to charge the committee personally; and Mr. Page, therefore, stands as a defendant without interest, not even as a trustee, for he is not so much as a trustee, his position only amounting to that of a joint manager of the estate. But it is said that as one of the defendants to that suit he is liable for costs. Supposing that Mr. Page had any liability with regard to the costs, or, proceeding a step beyond that, that he is liable to the subject-matter of the suit, nothing can be clearer than the provision of the Act of Parliament that a defendant may be examined on behalf of a co-defendant, or on the behalf of the plaintiff, notwithstanding his interest in the matter in dispute. Whether, therefore, he is liable in respect of the subject-matter or for the costs, will form no objection to his being examined. It is said that he could only be examined under an order for that purpose, which would be an order made before the enactment which enabled a defendant to be examined. The question is, were the defendants entitled to such order? I think that Mr. Page had no interest in the original suit beyond that of his character of committee, and that he was entitled to such an order. But assuming that Mr. Page can be examined, does it follow that his wife can be examined? The long established rule of law is, that a wife cannot be examined for or against her husband; and no alteration has yet been made in that established rule of law. It is a rule founded on a principle which is more valuable even than the administration of justice—the necessity of preserving the confidence and happiness of domestic life. The liability to error through misconception, the preservation of the confidence which should exist between man and wife, supported the rule that a wife should not be called on to give evidence against her husband. Opinions have doubtless been expressed against that rule, but until the Legislature clearly abrogates* it, I shall not feel justified in departing

* This alludes to the statute 14 and 15 Victoria, chap. 99, entitled "An Act to amend the Law of Evidence."

from it. Therefore, though I am clearly of opinion that Mr. Page can be examined, I doubt whether, as a general rule, Mrs. Page can be examined also. But inasmuch as Mr. Page had no interest in the original suit, it seems to me that in no sense can the examination of Mrs. Page be said to be evidence against her husband, so as to bring it within the rule of law which excludes her testimony. I think, therefore, that she must be admitted as a witness. Looking at the prayer of the original bill, and the issue raised at the time Mrs. Page was examined, I am of opinion that she was not examined either for or against her husband. The circumstances which have subsequently occurred to change the character of the defendants in the revived suit, cannot affect the admissibility of that evidence. It seems to me, therefore, on a consideration of all the circumstances of the case, that the deposition of Mrs. Page can now be admitted and read as evidence.

(Before the LORDS JUSTICES OF APPEAL, Jan. 28th, 1852.)

ANDERSON v. MANSON, AND *In the matter of* MR. JAMES MANSON.

Answer and defence of a lunatic defendant.

Where a lunatic who is so found, and who has had a committee of his estate appointed, is made a defendant to a suit in Chancery, he answers the bill and defends the suit, as a matter of course, by his committee, and no guardian is necessary. A gentleman, found a lunatic, was made a defendant as one of the next of kin of a deceased relation who had died intestate. The suit was for the administration of the estate. The lunatic and his committee presented a petition praying that the committee might be appointed guardian to defend the suit, and that a part of the estate might be sold to pay the costs to be incurred in the suit for the purpose of establishing the title of the lunatic as one of the next of kin; but the Court refused to make any prospective order as to the costs, and refused to appoint a guardian, but gave leave to the committee to defend the suit for the lunatic.

THIS was a petition presented by the lunatic, and the committee of his person and estate, Mr. W. Thacker. It stated that a commission had issued against Mr. James Manson, under which he had been found a lunatic, and that there had been the appointment of the committee; that the committee's accounts has been passed; that on the 20th of Dec., 1851, William Anderson and another filed a bill against the lunatic and other persons as next of kin of Mrs. Margaret Manson, deceased, who left personal estate divisible among her next of kin, praying that administration accounts might be taken, and the rights of the parties interested in her estate might be declared. The undisposed of residue of her estate consisted, it was said, of 6000*l*. The petition, as the petition of the lunatic, prayed that his committee might be appointed his guardian, by whom he might answer the bill and appear in the suit and prosecute his claim to be one of the next of kin of Mrs. Manson; and the committee prayed that he might be at liberty, as such committee, to take and concur with the other defendants in taking all necessary steps to prosecute the lunatic's claim as one of such next of kin, and that all such costs as should be properly incurred by both the petitioners in appearing to and answering the bill, and generally in the suit or otherwise relating or incidental to the lunatic's claim as next of kin, and as should not be paid out of the estate of Mrs. Manson, including the costs of the petition and consequent thereon, might be raised and paid out of the estate of the lunatic.

Mr. W. COLLINS appeared in support of the petition, which was unopposed.

He stated that the reason why the order was asked respecting the costs was, that the fund was supposed to be divisible into six parts, of which the lunatic was entitled to one; but as there had been a great number of persons belonging to the family of Mrs. Manson, it might be necessary to incur heavy costs in prosecuting extensive inquiries.

LORD JUSTICE LORD CRANWORTH.—As to the anticipated extra costs of prosecuting these inquiries, the Court will of course give no directions. To ask for them now is crying out before you are hurt. If we give leave to defend the suit, which I am disposed to do, the committee will do so in the usual way; and if it shall appear that costs are incurred which the committee thinks should be raised out of the lunatic's estate, he may come here and say so, and we can deal with the matter. I am of opinion, that we ought not to make any prospective order as to costs.

LORD JUSTICE KNIGHT BRUCE.—This petition is entitled as well in the cause as in the matter of the lunacy. That is, in my opinion, incorrect. That part of the petition which prays the appointment of a guardian is unnecessary. The lunatic having been made a defendant, will answer the bill, and defend the suit by his committee in the ordinary way, and quite as a matter of course. You may take the common order for leave to defend and reserve liberty to apply. The petition must be amended, by striking out all in the title but the lunacy.

(Before the LORDS JUSTICES OF APPEAL, January 14th and 21st, 1852.)

In the matter of Mr. PATTINSON.

Jurisdiction of the Lords Justices.

It is doubtful whether the Lords Justices have jurisdiction to make an order, under the statute 13 & 14 of the Queen, c. 60, vesting the estate which has descended on the heir of a trustee, and which heir was a person of unsound mind, in a new trustee, the words of that act confining the authority "to the Lord Chancellor, entrusted by virtue of the Queen's sign manual."

Mr. J. V. PRIOR appeared in support of a petition, presented under the statute 13 & 14 of the Queen, c. 60 (the Trustee Act, 1850), commonly called Mr. Headlam's Act. The object was that an order should be made whereby the estate which had descended on a person of unsound mind, should be vested in another person as a trustee for the owner. This person was one not found a lunatic by inquisition, but was of unsound mind. Such a case was provided for by the statute in question, and their lordships being entrusted with the exercise of the jurisdiction in lunacy, were competent to make the order.

LORD JUSTICE LORD CRANWORTH conferred for a short time with the Lord Justice Knight Bruce, and said, "Without meaning to say that we have no authority to make this order, there is a point well worthy of consideration before the order is made. The statute which constitutes this court of appeal, namely the 14 & 15 of the Queen, c. 83, enacts in the 13th section, that nothing shall affect the powers, duties, or authorities of the Lord Chancellor, by virtue of any appointment under the sign manual of the Crown, as having the custody of the persons and estates of lunatics. We are, it is true, also exercising a jurisdiction in lunacy by warrant under the Queen's sign manual, but the Act under which this petition is presented (like the preceding statute, 11 Geo. IV. and 1 Wm. IV. c. 60) only authorizes the Lord Chancellor, authorized by the Queen's sign manual, to make the order now asked. Every section says, "the Lord Chancellor authorized as afore-

said," so that it occurs to us a question whether we have authority; and that it would be a safer course to apply to the Lord Chancellor, who undoubtedly has authority to act. The statute does not, after the words Lord Chancellor, go on to say, "or other person or persons authorized as aforesaid." I repeat, we do not say we have not the power, but we consider the point one well worthy the petitioner's consideration.

LORD JUSTICE KNIGHT BRUCE.—If this be the true construction, and I do not dissent from the view of my learned brother, all that we can do will do the petitioner no good. If the order is made by us, and the owner should ever have occasion to sell, he will have all the conveyancers to contend against: the title will be objected to. It rests with the Crown to say who shall be the person or persons to exercise these functions in lunacy. A warrant is directed in such way, as that the Lord Chancellor and ourselves, the Lord Chancellor alone or either of us with his Lordship, can adjudicate on such a matter, but then the statute called "The Trustee Act, 1850," speaks of the Lord Chancellor only. We have called your attention to the point, but if you like to hazard falling into the hands of the conveyancers, we may be disposed to make the order.

Mr. J. V. PRIOR declined, under the circumstances, to take the order; but said he would apply to the Lord Chancellor.

N.B. The case was brought before the attention of the Lord Chancellor (Lord Truro) on a subsequent day, when the order was made; his lordship observing, that without deciding whether the Lords Justices had or had not this jurisdiction, it was clear that he did possess it, and therefore he considered it the safer course that he should make the order. The inclination, however, of his opinion was, that the statute constituting the court of appeal, followed by the warrant under the sign manual, conferred on the Lords Justices every authority in lunacy which his lordship himself possessed.

(Before the LORDS JUSTICES OF APPEAL, January 26th, 1852.)

In the matter of MR. TOWNSEND.

Arrangements for the Funeral of a deceased Lunatic.

When a lunatic had died, and there was no committee of the person or of the estate, the Court directed the parties with whom the lunatic had resided, to proceed with the funeral, but declined to make any order as to payment of the expenses; directing a petition for such payment to stand over. The Court held, that for such a purpose a petition was necessary.

A petition was presented in this matter by the nephew, one of the next of kin, and the heir-at-law of Mr. Townsend, the lunatic, stating that the lunatic died three days since; that there was neither a committee of the person nor of the estate, although a person had been approved; that the petitioner and his wife, with whom the lunatic resided, had no money to pay for the funeral; and that the petitioner's wife who had had an allowance of 50*l.* a year out of the lunatic's estate, had not been paid any part since the death of the committee in October last. It was therefore prayed that a sufficient sum should be paid out of the money in Court to the credit of the lunacy, to defray the funeral expenses.

Mr. GROVE supported the petition.

Mr. FOLLETT, for other next of kin, appeared to oppose the petition as being entirely unnecessary. He also appeared for the person who had been approved as committee. It was only necessary in such a case to take out a warrant in the Lunatic Office, and the matter would have been arranged.

LORD JUSTICE LORD CRANWORTH said, it appeared from the opinion of the officer who attended from the office, that a petition was necessary; and wished to know whether the ordinary preliminary step had been taken for the interment.

Mr. GROVE said, that the nephew and his wife had done so, but had no money to pay the expenses; but were willing to complete the funeral. A will of the lunatic was sealed up and deposited in the Lunatic Office, and it was desired that it might be opened to ascertain whether it contained any directions.

Their LORDSHIPS directed the will to be opened, and that the funeral should take place; and that the petition should stand over to a future day. They declined, at present, to make any order for the payment of money out of court.

(Before the LORDS JUSTICES OF APPEAL. January 28, 1852.)

In the matter of NOBLE.

A Lunatic's allowance permitted to be paid to a survivor of two committees, the Estate being very small.

Two committees of a lunatic's estate were appointed, and one of his person.

One of the two died, and the Court permitted the survivor to receive the dividends on the production of an affidavit of his solvency.

This was a petition praying that the dividends, amounting to about £100 a year, arising from consols, the only property of the lunatic, might be paid to the surviving of two committees of the estate to be applied by the committee of the person for the benefit of the lunatic. The petition stated that two committees of the estate had been appointed, one of whom had died, and that a committee of the person had been appointed.

Mr. OSBORNE, in support of the petition, urged, that as the estate was so small, it would be a great benefit if the expense of the appointment of a new committee were saved.

LORD JUSTICE LORD CRANWORTH: Is there any affidavit as to the solvency of the surviving committee? It may be all very right to appoint two persons as committees and to entrust them with the lunatic's estate, but it may be far from proper that only one of them may be trusted. If such an affidavit is produced to the officer, I think the order may be made, to save expense, as the estate is so small.

LORD JUSTICE KNIGHT BRUCE concurred, and directed the order to be made on the production of the affidavit.

Mr. COTTELL, on behalf of the next of kin, offered no opposition.

(Before the LORDS JUSTICES OF APPEAL. February 11th, 1852.)

In the matter of MRS. HEWSON.

Allowances made to indigent members of a Lunatic's family out of her Estate.

Mr. STUART appeared in support of a petition in this matter, which stated that a petition was presented to the Lord Chancellor, Lord Cottenham, praying certain allowances to a nephew and niece, and a sister of the lunatic out of her estate. The Master in Lunacy had by his report approved of an allowance of £50 a year each to the sister and a niece of the lunatic, who were persons in very humble circumstances of life, and £200 a year to the nephew, who was a

married man, with four children, and who had been a Church of England Missionary in India, and now desired to be ordained in that Church. On the hearing of the petition, Lord Cottenham would not approve of the allowances until he was informed whether, during her sanity, Mrs. Hewson had shown feelings of kindness and intentions of bounty towards her nephew, but the other allowances were confirmed. The point was now brought before the Court, but the affidavits failed to show that the nephew had been an object of Mrs. Hewson's bounty, but they also showed that the niece had never received benefits from her. The affidavits as to character, and as to the necessity of the nephew for such aid in his professional endeavours were satisfactory.

Mr. SHAPTEL, for the next of kin, also supported the prayer of the petition.

LORD JUSTICE KNIGHT BRUCE: Under all the circumstances of the case, we are of opinion that the allowance seems reasonable, and may be made. It appeared at first sight startling, that £50 a year should be considered sufficient for a sister of the lunatic, and so large a sum as £200 a-year be asked for her nephew.

BETHLEM HOSPITAL.

WE must consider Dr. Hood's nomination to the important and distinguished position of physician to Bethlem Hospital as *un fait accompli*. We do not, therefore, feel called upon to refer either in terms of animadversion or eulogy to the proceedings of the late contested election. By a large majority of votes this gentleman has been selected to preside over the medical department of this large national asylum. We sincerely trust, Dr. Hood may realize the kind anticipations of his friends, and perform with satisfaction to his own conscience as well as to the public, the serious and responsible duties of the important office to which he has been appointed. It will always afford the editor of this journal much pleasure to support him in his efforts to promote the interests of Bethlem Hospital, the welfare of the unhappy patients confined within its walls, and the advancement of medico-psychological science.

DESCARTES.

THE inauguration of the statue of Descartes took place on Sunday last, the 12th of September, at Tours. A grand *cortège* was formed of the civil and military authorities, which proceeded from the Hôtel de Ville to the place where the statue had been erected, and where tribunes had been constructed for their accommodation. A great number of strangers were present, among whom was the Count de Nieuwerkerke, to whose talent the statue is due. The removal of the covering was the signal for an immense burst of acclamation from the thousands assembled.

Among the many thousand spectators who assembled to witness this august ceremony, how many cared or knew aught about the principle of the Cartesian Philosophy? There is more in posthumous fame than we had supposed;—we shall hear of statues being yet inaugurated to the memories of Plato and Aristotle. The good people of Tours wish to astonish the psychologists of Europe. Doubtless the inscription at the foot of the figure will be *non cogito ergo sum*,—an excellent text, which might lead us into a vortex of metaphysical disquisition!

Miscellaneous Notices.

The Stomach and its Difficulties. By Sir JAMES EYRE, M.D.
Churchill. 1852.

THERE are few things connected with literature so difficult to accomplish as that of writing a pleasant and readable work on a medical subject. The market is over-stocked with dull, heavy, prosy works, which few have the patience to read. It is gratifying to meet with a member of the profession capable of placing before us a volume connected with a most important class of affections, written like the one now upon our table. Sir James Eyre takes no elevated flights; he leaves the more abstruse points in relation to this subject to such men as Dr. W. Philip, and others, and confines his attention to the consideration of those matters which admit legitimately of a somewhat extra-professional discussion. In this respect he has followed in the wake of the late Dr. James Johnson, whose valuable works on indigestion and health are as much addressed to the public as to the profession. Sir James Eyre has the ability to communicate valuable knowledge in an agreeable manner. This little volume is as amusing as a novel, and yet it is replete with facts and principles of the utmost importance to the preservation of the human health. Thousands who could not be persuaded to peruse the recognised medical textbooks on the subjects of diet, and indigestion, will eagerly devour the contents of Sir James Eyre's little volume; and if they are wise enough to follow the sensible advice he offers for the regulation of the digestive apparatus, how much misery they will be exempted from. It would be unfair, and manifestly unjust, to subject a work like the present to serious criticism. Sir James Eyre does not put his little volume forward with any ostentatious pretensions. It conveys what he intended it to convey, sensible and practical instructions for the regulation of the functions of the stomach, adapted for general perusal. The little volume is full of pleasantries, all embodying, however, an important principle of treatment.

Rheumatism, Gout, and Neuralgia as affecting the Head and Ear, &c. &c.
By WILLIAM HARVEY, Surgeon to the Royal Dispensary for Diseases of the Ear.

MR. HARVEY has devoted his attention for many years to aural medicine and surgery; and the well-earned reputation he has acquired, entitles anything that proceeds from his pen to the careful consideration of the profession. The volume under review is an excellent work on several important diseases, written in a clear style, and full of sound practical observations.

On the Diseases of the Bladder. By W. COULSON, Esq., Surgeon to St. Mary's Hospital. 4th Edition. Churchill. 1852.

MR. COULSON's work requires no commendation from us to recommend it to the notice of the profession. It is the most comprehensive, practical, and valuable work on the subject of which it treats. The edition before us embodies all the most recent discoveries of any importance connected with the diseases of the bladder; and these, combined with Mr. Coulson's own original remarks, add great value to his work.

On the Nature and Treatment of the Diseases of the Heart. By JAMES WARDROP, M.D.

THE principal portion of this work has been published in the columns of the *Medical Times and Gazette*. We have read Dr. Wardrop's volume with much interest. It is a valuable contribution to medical literature. There are many passages in the work of a psychological character, which we had marked for quotation; but we regret that want of space compels us to set them for the present aside. This work must find its way into every medical man's library, and be referred to by all anxious to make themselves acquainted with the treatment of diseases of the heart.

Poems, Essays, and Opinions. By ALFRED BATES RICHARDS, Esq., Barrister-at-Law. 4 vols. 1852.

MR. RICHARDS is a vigorous writer. He handles the "grey goose-quill" with considerable ability. His able tragedy, *Cræsus, King of Lydia*, had fully prepared us for the advent of a man of original capacity, and one who dared to think for himself. All the essays are on topics of great, of popular, and scientific interest. It is with much pleasure that we recommend these volumes to the notice of our readers.

A Practical Treatise on Diseases of the Skin. By J. MOORE NELIGAN, M.D., M.R.L.A., &c. 1 vol. 8vo. Dublin: Fannin and Co.

WE have been much pleased with this volume. Dr. Neligan writes with all the ease and confidence of a man taught in a practical school. His work is a valuable addition to the literature of skin diseases. We predict for it an extensive sale and great popularity. Dr. Neligan's work may be considered one of the best practical works extant on the diseases of the skin.

WORKS RECEIVED.

A Commentary of Medical and Moral Life; or, Mind and the Emotions considered, in Relation to Health, Disease, and Religion. By William Cook, M.D., M.R.C.S.L., &c. 1 vol. 8vo. Longman & Co. (In our next.)

On the Diseases of the Bladder. By W. Coulson, Esq., Surgeon to St. Mary's Hospital. 4th edition. Churchill. 1852.

Medical Circular. Nos. 1 to 19.

Iconography; a Tract for the Times. By Vigil.

A Manual of Artistic Anatomy. 1 vol. 8vo. By R. Knox, M.D., F.R.S.E. London: H. Renshaw. 1852. (In our next.)

Dietetics of the Soul. (Translated from the German.) By Ernst Von Feuchtersleben, M.D. 1 vol. 12mo. Churchill. 1852.

The Stomach and its Difficulties. By Sir Jas. Eyre, M.D. 1 vol. Churchill. 1852.

On the Anatomy of the Male Urethra, and on the Pathology of Stricture. By H. Hancock, Esq., F.R.C.S., Senior Surgeon to Charing-cross Hospital, Lettsomian Professor of Surgery to the Medical Society of London. London. 1852.—An able, original, and valuable work.

Poems, Essays, and Opinions. By Alfred Bates Richards, Barrister-at-Law, Author of "*Cræsus, King of Lydia*," a Tragedy, &c. 4 vols. 12mo. 1852.

Rheumatism, Gout, and Neuralgia, as affecting the Head and Ear. By W. Harvey, Esq., Surgeon to the Royal Dispensary for Diseases of the Ear. 1 vol. 8vo. Churchill. 1852.

L'Air Libre et la Vie de Famille dans la Commune, de Gheel. Par le Dr. J. Parigot. Bruxelles. 1852. (In our next.)

- The National Temperance Chronicle, for April.
- Medical Jurisprudence. By T. R. Beck, M.D., LL.D., and J. B. Beck, M.D. 10th edition. 2 vols. Albany, U.S.A. 1850.
- Plea of Insanity. By W. Wood, M.D. 2nd edition. London. 1852.
- A Letter to Dr. Lyon Playfair, B.F.R.S., On the Buxton Waters. By W. H. Robertson, M.D., Surgeon and Physician to the Buxton Bath Charity. Pamphlet. A sensible Essay.
- A Practical Treatise on Diseases of the Skin. By G. F. Moore Neligan, M.D., M.R.I.A., &c. 1 vol. 8vo. Dublin: Fannin and Co. London: Longman. 1852.
- Principles of Human Physiology. By A. B. Carpenter, M.D. 4th edition. London Labour and London Poor. 1 vol. By H. Mayhew, Esq.
- A History of Magic, Witchcraft, and Animal Magnetism. By C. Colquhoun, Esq., author of *Isis Revelata*. 2 vols. 8vo. London. 1851. (Reviewed in our last No.)
- Des Hallucinations, ou Histoire Raisonnée des apparitions, des visions, des songes, de l'extase, du magnétisme et du somnambulisme. Par A. Briere de Boismont, M.D., &c. Paris. 1852.
- Des Principes à suivre dans la Fondation et la Construction des asiles d'aliénés par Max, Parchappe, Inspecteur Général du service des aliénés. Paris: Victor Masson. 1850. In parts. (In our next.)
- Etudes Cliniques sur les Maladies Mortales, &c. Par M. Morel, M.D. Paris. 1852. (5 parts received.)
- Annals of Pharmacy, and Practical Chemistry. Edited by W. Bastie and W. Dickinson, Members of the Pharmaceutical Society. (1 No. received.)
- A Letter to the Rt. Hon. Sir Geo. Grey, Bart., M.P., on Medical Registration, &c. By Emeritus. London. 1852.
- On the Fallacies of Homœopathy, &c. By C. H. F. Routh, M.D., &c. London. 1852. (An admirable work, written by a Physician of great promise. We hope to see his great powers of research occupied upon other subjects.)
- Bagnes, Prisons, et Criminels. B. Appert. Paris.
- The Transactions of the American Medical Association. We have received the 3 vols. of this valuable work. Philadelphia. U.S.A.
- Danktoonen Van Meer-en-Berg aan Mr. M. C. Van Hall, voor zijn Keung gedicht Meer-en-Berg, &c. &c. Amsterdam. 1851.
- The Transactions of the Association of Medical Officers of Hospitals for the Insane. England.
- The Transactions of the Association of Medical Officers of Hospitals for the Insane. America.
- Glimpses of an Improved Medical Philosophy. By Ed. King, Esq. Surgeon. Philadelphia.
- Psychological Speculations. Essay 1, The Theological Department of Psychology. By the Spirit of the Blue Mountains. London.
- Report of the alleged Lunatic Friend Society.
- A Few Remarks on the Norwich Consultation. By W. Cooper. (For private circulation.)
- The Medical Examiner, and Record of Medical Science. Edited by Francis G. Smith, M.D., and J. D. Biddle, M.D., Philadelphia. (Regularly.)
- Allgemeine Zuschrift für Psychiatrie und Psychisch-gerichtliche Medicin, &c. &c. unter der Redaction Von Dameron, Flemming und Roller. Berlin (Regularly.)
- The Trial of W. Freeman, for the Murder of John G. Van Nest. Reported by B. F. Hall, Counsellor-at-Law. Auburn.

JOURNALS IN EXCHANGE.

- The Medical Times and Gazette (regularly).
 The British and Foreign Medico-Chirurgical Review (regularly).
 The Ecclesiologist (regularly).
 Newton's London Journal and Repertory of Arts, Science, and Manufactures (regularly).
 The Law Magazine, or Quarterly Review of Jurisprudence (regularly).
 The Dublin Quarterly Journal of Medical Science.
 The London Journal of Medicine (regularly).
 The Provincial, Medical, and Surgical Journal (regularly).
 Dublin Medical Press (regularly).
 The American Journal of Medical Science. Edited by Dr. Hays, Philadelphia (regularly).
 The American Journal of Insanity (occasionally). We are often obliged to refuse this journal, in consequence of the heavy postage.
 Dr. Ranking's Half-yearly Abstract of the Medical Sciences (regularly).
 The Theological Critic. Edited by the Rev. T. K. Arnold, M.A. (regularly).
 The Monthly Journal of Medical Science, Edinburgh (regularly).
 The Morning Side Mirror. Printed at the Asylum Press, Morning Side (regularly).
 Bericht über die Leistungen in der Psychiatrik. Von Dr. H. Lachn, Zweitem Arzte der prov. Tuenanstalt Cei Halle.
 Annales Medico-Psychologiques. Par MM. Les Docteurs Baillanger, B. de Boismont, et Cerise. Paris (regularly).
 The Charleston Medical Journal and Review (irregularly, in consequence of the heavy postage occasionally charged).

PSYCHOLOGICAL APPOINTMENTS.

Dr. HOOD has been elected physician to Bethlem Hospital, and Mr. Helps has been appointed apothecary to the same institution.

D. F. TYERMAN, Esq., Medical Superintendent of the Cornwall County Lunatic Asylum, has been elected resident medical officer of the Male department of Colney Hatch, vice Dr. Hood. Salary, 200*l.* per annum, with a furnished residence, and 100*l.* in lieu of board, with coals, candles, milk, and vegetables.

J. MILLAR, Esq., assistant-surgeon of Bethnal Green Asylum, has been appointed resident medical superintendent of the Bucks County Asylum.

BRITISH LUNATIC ASYLUMS.

An elaborate article, based upon the official annual reports of the British County Lunatic Asylums, will appear in the January number.

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